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Saint Helena

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 18 December 2017. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Saint Helena, Ascension and Tristan da Cunha, a Non-Self-Governing Territory under the Charter of the United Nations, is administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Lisa Phillips (since April 2016)

Geography: Saint Helena is a small island of volcanic origin situated in the South Atlantic Ocean, approximately 1,900 km from Angola and 2,900 km from Brazil. Ascension lies 1,200 km to the north-west of Saint Helena, and Tristan da Cunha and the other small islands lie approximately 2,400 km to the south.

Land area: 310 km^2, consisting of the islands of Saint Helena and Ascension and the Tristan da Cunha group

Exclusive economic zone: 1,641,294 km^2

Population: 4,439 on Saint Helena (September 2017 estimate); 750 on Ascension (September 2017 estimate); and 258 on Tristan da Cunha (November 2017 estimate)

Life expectancy at birth: 75.7 years (women: 78.8 years, men: 72.9 years (2016 estimate))

Language: English

Capital: Jamestown (Saint Helena), Georgetown (Ascension), Edinburgh of the Seven Seas (Tristan da Cunha)

Main political parties: None

Elections: Most recent: Saint Helena: July 2017 (general election); Ascension: November 2017 (by-election); Tristan da Cunha: March 2016

Legislature: Unicameral Legislative Council on Saint Helena (15 seats, 12 elected members). Under the 2009 Constitution, the Governor, acting after consultation with the Island Council, may make laws for Ascension and Tristan da Cunha.

Gross domestic product per capita: £7,100 (Saint Helena, 2014/15). According to the administering Power, because Ascension has no permanent population, its gross domestic product per capita cannot be calculated. Data are unavailable for Tristan da Cunha.

Economy: Fishing, coffee, tourism, the sale of commemorative coins and postage stamps. The economy of Saint Helena depends on financial assistance from the United Kingdom, as well as the sale of fish and coffee beans and tourism (entry permits, conservation tours). For Ascension, financial assistance is received from the United Kingdom, and the main source of revenue is derived through taxes and business levies, with additional revenue from fishing, sales of stamps and coins, handicrafts and tourism. Tristan da Cunha receives some financial assistance from the United Kingdom for the development of infrastructure; the funding of posts in education; health care; and public service training.

Unemployment rate: 0.35 per cent (October 2016 estimate), down from 1.8 per cent in 2008 for Saint Helena. On Ascension, people must be employed to stay on the island, except for children and adult dependants. Tristan da Cunha has full employment.

Monetary unit: Saint Helena pound, which is pegged to the pound sterling (Saint Helena and Ascension); pound sterling (Tristan da Cunha)

Brief history: The island of Saint Helena was reportedly discovered in 1502 by a Spanish navigator in the service of Portugal. By the end of the sixteenth century, it had become a port of call for ships en route from Europe to the East Indies. In 1633, it was formally annexed by the Netherlands. However, in 1659 the British East India Company took possession of the island. It officially became a Crown colony in 1833, was classified as a British dependent territory in 1981 and became a British overseas territory in 2002.

I. Constitutional, legal and political developments

1. The current Constitution of Saint Helena, Ascension and Tristan da Cunha, which entered into force in September 2009, provides for the protection of the fundamental rights and freedoms of the individual. The new Constitution changed the name of the Territory from "Saint Helena and its Dependencies" to "Saint Helena, Ascension and Tristan da Cunha", giving the three islands equal status within the Territory. The Head of the Government is the Governor, who is appointed by the British Crown. However, the ability of the Governor to act inconsistently with the wishes of elected councillors is curtailed in comparison with the previous Constitution. The British Overseas Territories Act 2002 provides for the granting of British citizenship to "British overseas territory citizens" when certain qualifications are met.

2. The Legislative Council on Saint Helena comprises the Speaker, the Deputy Speaker, three ex officio members (the Chief Secretary, the Financial Secretary and the Attorney General) and 12 elected members. The Executive Council, which is presided over by the Governor, consists of the ex officio members and five elected members from the Legislative Council. The ex officio members have no vote in either body. Elections are held by secret ballot, at intervals of no more than four years, by universal suffrage of those aged 17 years and over.

3. The 2009 Constitution contains enhanced provisions for ensuring the independence of the judiciary from the legislative and executive branches of the Government. The judicial system comprises the Court of Appeal, the Supreme Court and subordinate courts (currently the Magistrates' Court and the Labour Regulating Authority, to determine employment claims, others may be established by ordinance) and the Coroner, to investigate certain sudden or suspicious deaths. There remains a final appeal to the Judicial Committee of the Privy Council in prescribed circumstances. The Media Commission has been established by ordinance and deals with complaints about breaches of the media codes of practice.

II. Budget

4. Owing to a small tax base due in part to migration and an ageing population, Saint Helena depends heavily on the United Kingdom of Great Britain and Northern Ireland for funding. The European Union also provides budgetary support. According to information provided by the administering Power, total budgetary aid and shipping support from the Government of the United Kingdom reached £28.7 million for the financial year 2017/18, compared with £22.5 million during the previous period, representing an increase of 21.6 per cent. The 2017/18 aid package was approved in June 2017, following a visit to Saint Helena by representatives of the Department for International Development in November 2016 and subsequent discussions. Discussions for the review of the next budget, which will cover a three-year period, were to take place in January 2018 during a visit to the island of officials of the Department.

III. Economic conditions

A. General

5. The largest employer is the Government of Saint Helena. South Africa and the United Kingdom are the two largest sources of imports. The next largest sector for

employment is retail and services. The local population also earns income from fishing, raising livestock and selling handicrafts. According to the administering Power, the unemployment rate is currently very low, but there are concerns over the productivity rate of the labour force. During the construction of the airport over the past four years, median incomes grew strongly and inflation decreased significantly, with growth in the retail price index averaging 1.6 per cent from the fourth quarter in 2015 to the third quarter in 2016. In 2017, largely as a result of the vote in the United Kingdom to leave the European Union and the subsequent drop in the value of the pound sterling, but also as a result of the drought in South Africa, inflation increased. The retail price index grew by 4.4 per cent between the third quarter of 2016 and the third quarter of 2017. Since the completion of the construction of the airport, incomes have remained comparatively low, and the cost of living is high, given that most goods must be imported. Consequently, prices are heavily influenced by external factors. According to the administering Power, Saint Helena expects that the significant increase in the number of tourists envisaged as a result of the start of a commercial air service will help to develop the economy. However, this will take time.

B. Development

6. Saint Helena is eligible to receive budget support from the European Union through the tenth European Development Fund, as are Ascension and Tristan da Cunha. Under the eleventh European Development Fund, the Territory has been granted an indicative amount of €21.5 million for the period 2014–2020. The agreement with the Fund is expected to be signed early in 2018, with funds earmarked for a subsea cable. Saint Helena, Ascension and Tristan da Cunha also receive a proportion of the €5 million reserved by the Fund for isolated territories and can benefit from regional funding. Through a multi-year capital programme for the period 2014–2018, in the amount of £16.5 million, critical island infrastructure was upgraded, including a refurbishment of medical facilities, social housing, education, public utilities and road infrastructure.

7. Disaster management and the response to major incidents and emergencies are managed through the Chief of Police, who serves as the Emergency Planning Coordinator. Working with the Governor, the Chief of Police and his emergency planning team have developed the first major incident response plan of Saint Helena, supported by the risk register for the islands. In 2016, a 10-year plan was developed for the period 2017–2027 (see A/AC.109/2017/13, para. 7).

C. Fisheries and agriculture

8. Fisheries are an important sector of the economy of Saint Helena. According to the United Kingdom, five inshore boats and three offshore vessels fished there regularly in 2017. Local fishers sell their catch to the Saint Helena Fisheries Corporation. Fish purchases for the period from January to October 2017 amounted to 234 tons, compared with 347.50 tons during the same period the previous year. The decreased catch was in part a result of the absence of fish resources and of irregular fishing from the offshore fleet. No licences for foreign fishing vessels were issued. The Territory now has four vessels capable of fishing the offshore waters within that zone. The vessels fish the offshore seamounts, and this provides much-needed throughput to the cold stores on the island. Saint Helena is still in the stages of finalizing a 10-year strategy that promotes a safe, sustainable and environmentally

friendly fishing industry. In addition, in the period 2013–2014, Saint Helena exported 573.5 kg of Arabica Green-Tipped Bourbon coffee. Exports were 532.5 kg in the period 2014–2015, and 832.5 kg in the period 2015–2016.

D. Transport and utilities

9. According to the administering Power, the airport is now open to commercial flights and operational. A weekly scheduled commercial air service to the island commenced on 14 October 2017, with a monthly air link between Saint Helena and Ascension. Saint Helena also receives other air traffic, such as private charter and medical evacuation flights. The scheduled access to the island by sea via the RMS *Saint Helena* was expected to conclude in February 2018. The journey involved an 18-day round trip from Cape Town, South Africa, which included the connecting voyage to Ascension. The RMS *Saint Helena* had been in service for more than 25 years. A replacement cargo vessel, the MV *Helena*, has been sourced and was expected to commence its schedule in January 2018. It is currently envisaged that this freight service will call at Ascension four times per year. The construction of a wharf in Rupert's Bay has largely been completed, with attention now turning to plans to make Rupert's Wharf operational. The wharf will enable the separation of cargo activity (to take place in Rupert's Wharf in the future) from passenger handling activity, which will continue in James Bay. The Territory has some 168 km of paved roads (118 km on Saint Helena, 40 km on Ascension and 10 km on Tristan da Cunha) and 30 km of unpaved roads (20 km on Saint Helena and 10 km on Tristan da Cunha).

10. Saint Helena has two local radio stations and two satellite television stations that are rebroadcast terrestrially. Ascension has one local radio station and receives relays of broadcasts from Saint Helena. Broadcasts from the British Forces Broadcasting Service are available, as are television services for the United States military. Tristan da Cunha has one local radio station and receives television and radio broadcasts from the British Forces Broadcasting Service. Saint Helena signed a memorandum of understanding in November 2017 to deliver a deep-sea fibre optic cable in 2020 and high-speed broadband to the island.

11. Saint Helena has benefited from upgrades to its electricity infrastructure. Wind power has become a reliable source of energy. The energy strategy was published in October 2016. The Government of Saint Helena and the local utilities company, Connect Saint Helena, are currently leading a procurement process to move the island to a minimum of 85 per cent renewable energy, which will reduce the island's reliance on fossil fuel and will stabilize the cost of energy on the island.

12. The Department for International Development has provided funding for water infrastructure upgrades during the recent drought, including funding for a new reservoir to increase storage capacity, which was completed early last year. Work to investigate borehole sources is ongoing. Wastewater is currently not treated and there are plans for upgrades, particularly to support the management of wastewater from Half Tree Hollow, the largest conurbation.

E. Banking and credit

13. The Bank of Saint Helena is the sole banking entity; it is a limited company, and the Government of Saint Helena owns the bank as a majority shareholder. It provides banking services and related financial services within Saint Helena and its sub-branch

on Ascension through its core products: current, deposit and savings accounts; and personal, housing and commercial loans. The Bank offers various services, including teller services, an international remittance service and online banking services. A local debit card trial was launched in June 2017 and full service commenced in December 2017.

14. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, held in London on 28 and 29 November 2017, the overseas territories and the United Kingdom of Great Britain and Northern Ireland welcomed the progress made by the overseas territories with financial centres in implementing the arrangements set out in the exchange of notes on law enforcement exchange of beneficial ownership information, including establishing new and secure systems for the collection, exchange and use of beneficial ownership data, where they did not already exist. The Joint Ministerial Council committed itself to reviewing the effectiveness of the arrangements six months prior to their implementation deadline. It welcomed the cooperation of the overseas territories in international efforts to promote tax transparency and tackle financial crime and the constructive engagement of the overseas territories with the Code of Conduct Group (Business Taxation) of the European Union and at the first meeting of the Global Forum on Asset Recovery. The Joint Ministerial Council reiterated its commitment to showing leadership in tackling corruption and committed itself to prioritizing further work to enable the timely extension to the territories of the application of the United Nations Convention against Corruption, in particular when territories have requested such an extension, and to set a clear path for that process, building on the meeting held during the seventh session of the Conference of the States Parties to the Convention, held in Vienna from 6 to 10 November 2017.

F. Tourism

15. According to the administering Power and the Government of Saint Helena, the new airport is an important means of bringing new financial opportunities to the island and will help to promote tourism. The rugged natural beauty of the Territory, its rare wildlife and its historic sites, such as Longwood House and Napoleon Bonaparte's tomb, are expected to attract visitors. Of the 3,932 passengers who arrived on Saint Helena in 2016, 3,025 arrived on the RMS *Saint Helena*, 760 arrived by yacht and 144 arrived by air using the new airport. Of those, 1,068 were leisure visitors. The commercial air service that began in 2017 can deliver 76 passengers a week from South Africa and will fly once a month between Saint Helena and Ascension.

IV. Social conditions

A. General

16. According to the administering Power, following the reintroduction of the grant of British citizenship to Saint Helenians in 2002, the island experienced an exodus. The population census conducted in 2016 showed some recovery, with 4,122 Saint Helenians present on census night, an increase of 5.5 per cent from 2008. The increase in population began with the air access project, which has resulted in an increasing number of Saint Helenians returning to the island to take advantage of the improved employment and business development opportunities. The results of the February

2016 census show a total resident population of 4,534, in addition to 268 visitors, bringing the total number of persons present to 4,802.

17. Measured by international standards, Saint Helena is an upper middle-income Territory with few signs of real material poverty, according to information provided by the administering Power. A minimum income standard, introduced in July 2013, protects against poverty by providing an income-related benefit to households in receipt of income below that threshold. As at 30 November 2017, 129 households were in receipt of income-related benefits; 695 persons were in receipt of the basic island pension; and 6 persons were in receipt of unemployment benefits. While poverty rates are low, there are growing concerns regarding relative poverty and income inequality as the economy grows.

18. The census showed the old-age dependency ratio on Saint Helena to be 35 per cent, with an overall age dependency ratio of 56 per cent. That ratio places Saint Helena among the highest old-age dependency ratios in the world, with little potential for natural population change to remedy the situation in the foreseeable future. It will inevitably place significant pressure upon the delivery of appropriate care services for people with complex needs and the care requirements of older persons. There are challenges related to the age range of staff working in the care industry (25 per cent between 55 and 65 years of age and 10 per cent over 65 years of age). Combined with the increasing care needs of people living in the various residential facilities, such challenges create a system-wide risk for Saint Helena in terms of delivery of safe services, with an increased need for such services but a reduced staff force (owing to age) able to meet those needs.

19. There is one general hospital in Jamestown, and there are four health clinics serving people living in rural areas as well as two residential units providing care and support for individuals with learning and physical disabilities. Clinical areas in the hospital were partially refurbished in 2015–2016. A mammography machine, partially funded through fundraising undertaken within the community, was procured in 2017, enabling a breast cancer screening programme to be introduced for women over 50 years of age. In addition, the island has two family centres for children and young people who need protection and has supported accommodation and two locations for vulnerable and older persons.

20. At its sixth meeting, the Overseas Territories Joint Ministerial Council welcomed the fact that the Department of Health of the United Kingdom had continued its support for and commitment, in partnership with the territories and Public Health England, to raising awareness of international health regulations and to developing the relevant capacity to respond to major public health incidents, including outbreaks. The United Kingdom and the overseas territories discussed the importance of raising awareness of and building capacity and expertise in the territories for tackling non-communicable diseases, such as obesity and mental health problems, and the impact of those challenges on the populations of the territories. They committed themselves to working together on those important issues so as to share best practices and resources on preventive approaches and the ways in which they could be adapted to respond to local needs.

21. According to the administering Power, significant progress has been made in Saint Helena with regard to the development of a professional children's services department that delivers effective child protection services and preventive interventions for children and families. The progress made by the Government of Saint Helena since 2014 includes implementing the recommendations made in the *Wass Inquiry Report into Allegations Surrounding Child Safeguarding Issues on Saint*

Helena and Ascension Island, which was published in 2015 (see A/AC.109/2017/13, para. 23). The Wass Inquiry found systemic failures in the island's ability to deliver some services for the people of Saint Helena, including safeguarding children and vulnerable adults, but also acknowledged the progress that had already been made by the Government of Saint Helena in relation to safeguarding.

22. The Safeguarding Children's Board and Safeguarding Adults Board took strategic responsibility for overseeing the 49 recommendations from the Wass Inquiry and, according to the administering Power, all of them have been acted upon. Saint Helena has implemented the child protection policy of 2016, which is broadly based upon legislation of the United Kingdom. There have been a range of legislative amendments and developments, including legislation relating to fostering and combating domestic violence and cruelty to children, and the sex offender's act, which have all supported the practice and policies for professionals working with vulnerable children and children who are "in need", as defined under section 30 of the Welfare of Children Ordinance. According to the administering Power, the recruitment of relevant professionals has made a significant difference in the delivery and effectiveness of child protection and services for vulnerable adults. Historical allegations, casework and investigations have been successfully addressed, and clear and appropriate referral and assessment frameworks have been put into place for both adult and children's services.

23. Progress has been made in developing education, training and societal awareness of safeguarding practices within Saint Helena, including the delivery of levels 2 and 3 child safeguarding training, adult safeguarding training, community awareness-raising campaigns, such as White Ribbon Day, and ensuring that, where necessary, non-governmental organizations have safeguarding policies in place.

24. The additional funding provided by the Government of the United Kingdom in 2014/15 and 2015/16 has made possible the achievement of important changes and improvements. There remains the challenge of ensuring that changes are both sustained and embedded across the wider workforce to safeguard against future poor practice. Progress is still required in drug and alcohol services, youth services and support for the children on the island, and for the establishment of an appropriate fostering provision. The greatest challenge for the Safeguarding Directorate is with regard to its provision for the care requirements of older persons specialist residential and community care (see para. 18 above).

25. At the sixth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the leaders of the overseas territories discussed their shared resolve to continue to promote respect for human rights and compliance with international obligations in the territories. In the communiqué adopted at that meeting, they welcomed the constructive engagement of the territories in the preparations for the universal periodic review process of the Human Rights Council in that regard. The leaders of the overseas territories also reaffirmed their commitment to ensuring the highest possible standards for the protection of children and promotion of children's welfare in the territories. At the meeting, the United Kingdom and the overseas territories discussed the progress made in promoting interagency cooperation in the territories and the development of national response plans to define policy priorities, noted the particular challenges for those territories affected by the recent hurricanes and agreed that children's welfare should remain a central priority for recovery plans, including through the reconstruction of schools. In addition, they welcomed progress made under a memorandum of understanding to promote more effective collaboration between the overseas territories for the safeguarding of children.

B. Employment

26. A significant number of Saint Helenians are employed off-island, especially on Ascension, in the Falkland Islands (Malvinas)[1] or in the United Kingdom. During the construction of the airport, which began in late 2011, the demand for workers increased significantly. The release of workers from the project as construction neared completion benefited other sectors of the economy in which labour-force availability had been a constraint. As at 30 November 2017, there were six persons in receipt of unemployment benefits.

C. Education

27. Education is compulsory and free for children between 5 and 16 years of age. There are currently four publicly funded schools in operation in Saint Helena. Students from overseas territories benefit from the home student rate for school fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. In addition, those students have access to funding provided by the European Union for higher or vocational education.

28. Retaining qualified, experienced staff continues to be a challenge. Provisions are now in place to raise the overall quality of teaching through professional development.

29. There have been some gains in education outcomes in recent years, although there remains considerable variation from year to year. In 2017, 45 per cent of pupils achieved five or more General Certificate of Secondary Education passes with a grade C or higher, including in English and mathematics, compared with 22 per cent in 2016, 49 per cent in 2014 and 18 per cent in 2015. It should be noted, however, that, given the small sample size, it is difficult to draw conclusions by looking at year on year performance. The results for 2017 incorporate the reformed Certificate qualifications. In 2017, there was an 88 per cent pass rate in A-level results. Unfortunately, owing to personal circumstances, only one student was awarded a scholarship, compared with seven in 2016. Prior to 2017, performance at the end of primary education was assessed through the formal standardized assessment tests in mathematics, reading, spelling, punctuation and grammar. The results of the assessments, measured as a percentage of students achieving level 4 or above, were reported as a measure of attainment by primary schools.

30. Owing to the changes in the way the standardized assessment tests are managed and distributed, they are no longer available to overseas territories through a secure channel. Access can be gained only after the assessments, along with responses, are made available to the public. That change meant that alternative means of assessing student attainment had to be identified. From 2015, work began to transition schools to meet the demands of the new national curriculum of the United Kingdom. As a part of that effort, new assessment structures were introduced, notably the Cognitive Abilities Test, the Progress Test in English and the Progress Test in Mathematics. Baseline assessments for primary students were completed in the 2015/16 school year. In 2017, the key stage 2 standardized assessment test results showed that 30 per cent of year 6 pupils attained the expected results for their age group in mathematics and

[1] A dispute exists between the Governments of Argentina and the United Kingdom concerning sovereignty over the Falkland Islands (Malvinas).

50 per cent in English. While those figures suggest low levels of attainment in mathematics and English, standard age scores improved by 2.0 points in mathematics and 2.5 in English. Rigorous work continues in primary education to meet the demands of the new curriculum and to raise the levels of attainment in mathematics and English. Inclusion is a key focus within schools, with all schools sharing a commitment to providing opportunities for all pupils. The public schools of Saint Helena also offer robust programmes of support to adult learners, with a range of academic and vocational courses offered through the community college.

D. Environment

31. According to the administering Power, the isolated position of Saint Helena has given rise to an unusual and remarkable array of terrestrial and marine flora and fauna. Saint Helena relies heavily on project funding to support conservation initiatives. In 2017, approval for three project bids totalling £543,362 was received from the Overseas Territories Environment and Climate Fund, also known as Darwin Plus.

32. While management of some waste, for example hazardous waste, continues to be a challenge for the island, a capital-funded solid-waste management project has brought about improvements. In addition to a redeveloped landfill site that meets airport safeguarding standards, a public recycling facility has been established and the implementation of a landscape bulky waste programme is in progress. Currently, most waste streams are still going to the landfill, including such commercially viable wastes as metals, plastics and kitchen waste, although a small percentage of glass, paper and cardboard is now recycled. According to the administering Power, there is a viable opportunity for the private sector to develop businesses that process and reuse waste materials. However, according to the administering Power, this needs to be Government-led initially in order to maximize the remaining life of the landfill site.

33. In September 2016, Saint Helena declared the creation of a category VI marine protected area extending 200 nautical miles. In parallel, a marine management plan was published that prohibits any exploitation of the natural resources within the marine protected area that is not undertaken in a controlled, sustainable and environmentally sensitive manner.

34. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the Governments of the United Kingdom and the overseas territories recognized that the destruction wrought by Hurricane Irma and Hurricane Maria had served as a reminder of the vulnerability of the overseas territories to climate change-related events and the devastating effect that they could have on the lives and livelihoods of those who lived there. They committed themselves to continuing the practice of mutual engagement ahead of international forums on climate change, to ensure that the views and priorities of the overseas territories were fully reflected in negotiations. It was agreed that a representative from the territories would attend the twenty-fourth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Katowice, Poland, from 3 to 14 December 2018, as part of the delegation of the United Kingdom, highlighting the value of their presence in helping to amplify the shared message of the need for a high degree of ambition on climate change-related targets. The United Kingdom reiterated its commitment to working with the overseas territories on the issue of extending the application of treaties concerning climate change to the territories, including taking forward the work to extend its ratification of the Doha Amendment to the Kyoto Protocol to those territories that had indicated their readiness for it, through initial

consultation with territories that had an interest in participating in the meetings concerning the Paris Agreement to be held in the first half of 2018. The importance of the work in the territories on climate change adaptation and mitigation and collaboration between the territories to share best practices on environmental management and climate change issues, including through the annual meetings of ministers of the environment of the territories, was emphasized.

V. Ascension

A. Constitutional and political status

35. Executive authority for Ascension is exercised by the Governor of Saint Helena, Ascension and Tristan da Cunha. The resident Administrator is appointed by, and reports to, the Governor. The Governor is advised by the Island Council, currently comprising five elected members and three ex officio members: the Administrator, the Director of Resources and the Attorney General. Ex officio members have no voting rights. The current Administrator, Nick Kennedy, was sworn in on 22 November 2017. The Administrator represents the Governor of the Territory, is the Head of the government of Ascension and, as an ex officio member, chairs the Island Council in the Governor's absence.

36. Elections are held every three years, the most recent general election having been held in August 2016 and the most recent by-election on 30 November 2017. All registered voters over 18 years of age are eligible to vote. Under the 2009 Constitution, the Governor, acting after consultation with the Island Council, may make laws for Ascension. Ascension has its own legislation but Saint Helenian law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary.

37. There are six full-time Saint Helena police officers on detachment to Ascension, including a senior officer with the rank of Inspector, who reports to the Chief of Police on Saint Helena. The Chief Magistrate on Saint Helena serves as the Magistrate on Ascension, supported by four local lay magistrates. The Saint Helena Public Solicitor provides legal advice to residents of Ascension and is supported on site by two local lay advocates and the Assistant Public Solicitor.

B. Economic and social conditions

38. Residence on Ascension is dependent upon employment and, consequently, according to the administering Power, the population of Ascension enjoys full employment (or they are dependants of employed people). It is currently estimated that 6 per cent (51 people) of the population are adult dependants who have accompanied their working partner. Residents of Ascension have no right of abode, although some have been on the island for more than 50 years and have children and grandchildren residing there, according to the administering Power. Services are mostly provided by the Government. A private sector company provides the water and electricity supply to most of the island, with the United States military base providing its own supply. There are no commercial exports and little indigenous food production apart from a hydroponics facility set up by the Government. The economy is somewhat fragile and is dependent upon the defence and communication organizations based on the island. As a result of the economic situation and technological change, the population has fallen to under 900 people. Government activities are funded through, among other

things, business levies, property tax, income tax and customs duties. The revenues raised cover the expenditure necessary for the provision of essential public services. There is a continued requirement to invest in the island's infrastructure, balanced with the need to create sufficient liquid reserves.

39. The sale of offshore fishing licences was placed on hold in 2014 and a new, improved, licensing regime was introduced at the end of 2015, alongside a large closed area (over 50 per cent of the economic fishing zone) as part of the commitment by the Government of the United Kingdom to create a large marine protected area around Ascension. There have since been no applications for commercial fishing licences in the open area. A few inshore fishing boats fish recreationally and provide the local community with fresh fish.

40. Health services are provided through the fully functioning hospital in Georgetown. If treatment is not possible locally, cases are referred to the United Kingdom. In support of a healthy lifestyle, there are two gyms on both military bases, three swimming pools and other sporting facilities that are available to islanders.

41. The airport at Ascension is open and operational. On 18 November 2017, the first direct charter flight from Saint Helena landed on Ascension. The charter flight will take place once per month, maintaining the direct link between the two islands after the decommissioning of the RMS *Saint Helena*, expected in early 2018. The links will also be maintained by the MV *Helena*, which is expected to call at Ascension four times per year from 2018 onwards.

42. The school in Two Boats provides education to all children from the age of 3 to 16 years old, which is the General Certificate of Secondary Education level. A safeguarding children board is in place and members include a social worker and representatives of the police and the health and education sectors. The employment of a full-time social worker has significantly raised standards. A special representative commissioned by the Foreign and Commonwealth Office concluded that Ascension had made good progress in implementing the recommendations of the Wass Inquiry into child safeguarding. Safeguarding standards are being aligned with the United Kingdom where appropriate, and policies and procedures are being implemented to support the standards. According to the administering Power, success has been noted in the regulation and registration of childminders, whose provision of preschool childcare is vital because there are currently no such facilities on the island. Community education and engagement across the wide range of community members also increase safeguarding awareness and access to a social welfare provision.

C. Environment

43. The island has the second-largest nesting population of green sea turtles in the Atlantic Ocean and the largest nesting population of any marine turtle species in all of the United Kingdom overseas territories. The biodiversity of Ascension is greatly threatened by alien invasive species and, in particular, by introduced plants and mammals.

44. The Conservation Department continues to develop and has succeeded in implementing several projects. Key project and research areas are set out within the Ascension biodiversity action plan. In addition to the National Park of Green Mountain, there are six nature reserves, created to protect the island's critical flora and fauna. A biodiversity and fisheries committee, including members from the Council, works with the Conservation Department and stakeholders in order to

formulate legislation for the protection of the island's natural resources. A low volume of tourism is also developing within this sector. Work has begun to define the area to be covered by the marine protected area.

VI. Tristan da Cunha

A. Constitutional and political status

45. Executive authority for Tristan da Cunha is exercised by the Governor of Saint Helena, Ascension and Tristan da Cunha. The resident Administrator is appointed by, and reports to, the Governor. Sean Burns returned as the Administrator in December 2016. The Governor is advised by the Island Council, comprising the Administrator, who is the President of the Council, eight elected members (including the Chief Islander and at least one woman) and three appointed members. Elections are held every three years. All registered voters over 18 years of age are eligible to vote. Under the 2009 Constitution, the Governor, after consulting with the Island Council, may make laws for Tristan da Cunha.

46. Tristan da Cunha has its own legislation, but Saint Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary. As a last resort, the laws of England and Wales apply. There are two special constables and one full-time police officer. The Administrator also serves as the Magistrate.

B. Economic and social conditions

47. The economy of Tristan da Cunha is based on traditional subsistence farming and fishing. Rock lobster is sustainably fished and exported to Australia, the European Union, Japan and the United States of America. The decision by the European Union in August 2014 to allow access to its market to lobsters from Tristan da Cunha was a major milestone.

48. Since 2007, Tristan da Cunha has enjoyed limited telecommunications. Internet access is now available to the community through an Internet cafe and a Wi-Fi system, although Internet connectivity speeds are very slow. Options to improve connectivity are being considered.

49. In 2009, the Island Council set out broad strategies to secure the island's financial future. According to the United Kingdom, even with such reforms, the island would very soon become insolvent unless further drastic measures were taken. In 2011, a thorough review of budgets was undertaken and strict rules on procurement and expenditure were introduced. According to the administering Power, external financial assistance with infrastructure projects and capacity-building continue to be needed.

50. The Department for International Development funds the position of resident doctors. To build capacity on the island, it also funds several expatriate positions, including two doctors, two clinical nurses, a finance officer, teachers, a social worker and an agricultural adviser. The Department also sponsors annual dental and biennial optometrist visits as well as visits by other medical specialists and a veterinarian, when required. It has been several years since the island's inhabitants have had access to off-island training, but, since 2012, the Department has funded training both on and off the island (the latter in the Isle of Man, Jersey and South Africa). The training has been provided across the Administration, covering the following areas: fisheries,

agriculture, tourism, post office services, public works, and information and communications technology. A multi-year capital programme worth £12.8 million helped to develop new health facilities and harbour infrastructure.

51. Pupils leave school at 16 years of age and tend to work in the Government or the fishing sector. They have no opportunity to proceed to higher education unless they leave the Territory. The current staff members are, by their own admission, not formally qualified. There are now two expatriate teachers in the school. Beyond the age of 16 years, further education must be pursued off island; and one student is currently in Cape Town and three are in the United Kingdom.

C. Environment

52. Tristan da Cunha is successfully implementing conservation projects with help from its partners, including the Royal Society for the Protection of Birds. The projects run by the Overseas Territory Environmental Programme include efforts to remove invasive species from uninhabited islands in the Tristan da Cunha group. A project to eradicate mice on Gough Island, a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site, continues to progress, with a commencement date for the project scheduled for 2019. According to the administering Power, it was recently announced that the government of Tristan da Cunha plans to designate a marine protection regime around the archipelago by 2020.

VII. Relations with international organizations and partners

53. As a Non-Self-Governing Territory of the United Kingdom, Saint Helena is associated with, but not a part of, the European Union.

54. Since January 2014, the Territory has been a partner of the European Union under Council decision 2013/755/EU of 25 November 2013 on the association of overseas countries and territories with the European Union, which was approved in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union in the wider world.

55. According to the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the overseas territories continued their dialogue on the implications for the latter of the decision by the United Kingdom to leave the European Union (known as "Brexit"). In addition, it was indicated that a clear objective of the exit negotiations was to achieve an agreement that worked for all parts of the United Kingdom family, and the United Kingdom affirmed that it would seek to ensure that the security and economic sustainability of the overseas territories was preserved and, where possible, strengthened, post-"Brexit".

VIII. Future status of the Territory

A. Position of the territorial Government

56. Information on political and constitutional developments regarding the status of Saint Helena is reflected in section I above.

B. Position of the administering Power

57. At the 8th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 9 October 2017, during the seventy-second session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British. He said that the territories were an integral part of global Britain and the United Kingdom's commitment to its territories' security and prosperity remained strong, as demonstrated by the swift and comprehensive response to the devastation wreaked in some territories by Hurricane Irma, and the ongoing recovery efforts.

58. The representative of the United Kingdom went on to say that, the Joint Ministerial Council was the primary forum for high-level political dialogue between the United Kingdom and the overseas territories. As the United Kingdom negotiated to leave the European Union, it was fully committed to taking into account the priorities of the overseas territories, including Gibraltar. The United Kingdom-Overseas Territories Joint Ministerial Council on European Union negotiations had been established to discuss the priorities of the territories and determine further areas for collective engagement. He added that the fundamental responsibility of the Government of the United Kingdom, under international law and the Charter of the United Nations, was to ensure the security and good governance of the territories and their peoples.

59. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories indicated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed themselves to exploring the ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. For those Territories with permanent populations who wished it, the United Kingdom would continue to support their requests for removal from the list of Non-Self-Governing Territories. The Government of the United Kingdom and the leaders of the overseas territories agreed that the fundamental structure of their constitutional relationships had been the right one — powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities. They also agreed upon the need to continue their engagement on those issues to ensure that constitutional arrangements worked and were developed effectively to promote the best interests of the territories and of the United Kingdom.

IX. Action taken by the General Assembly

60. On 7 December 2017, the General Assembly adopted resolution 72/106 without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2017 (A/72/23) and the subsequent recommendation by the Fourth Committee. In that resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of Saint Helena to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of Saint Helena, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of Saint Helena to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Stressed the importance of the 2009 Constitution of the Territory and the further development of democratic and good governance;

(e) Welcomed the extension by the administering Power to Saint Helena of the Convention on the Elimination of All Forms of Discrimination against Women in March 2017;

(f) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(g) Requested the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socioeconomic development challenges of the Territory;

(h) Encouraged the Territory to continue to participate in the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, including regional seminars;

(i) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of Saint Helena and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Saint Helena and the administering Power;

(j) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in Saint Helena, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(k) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

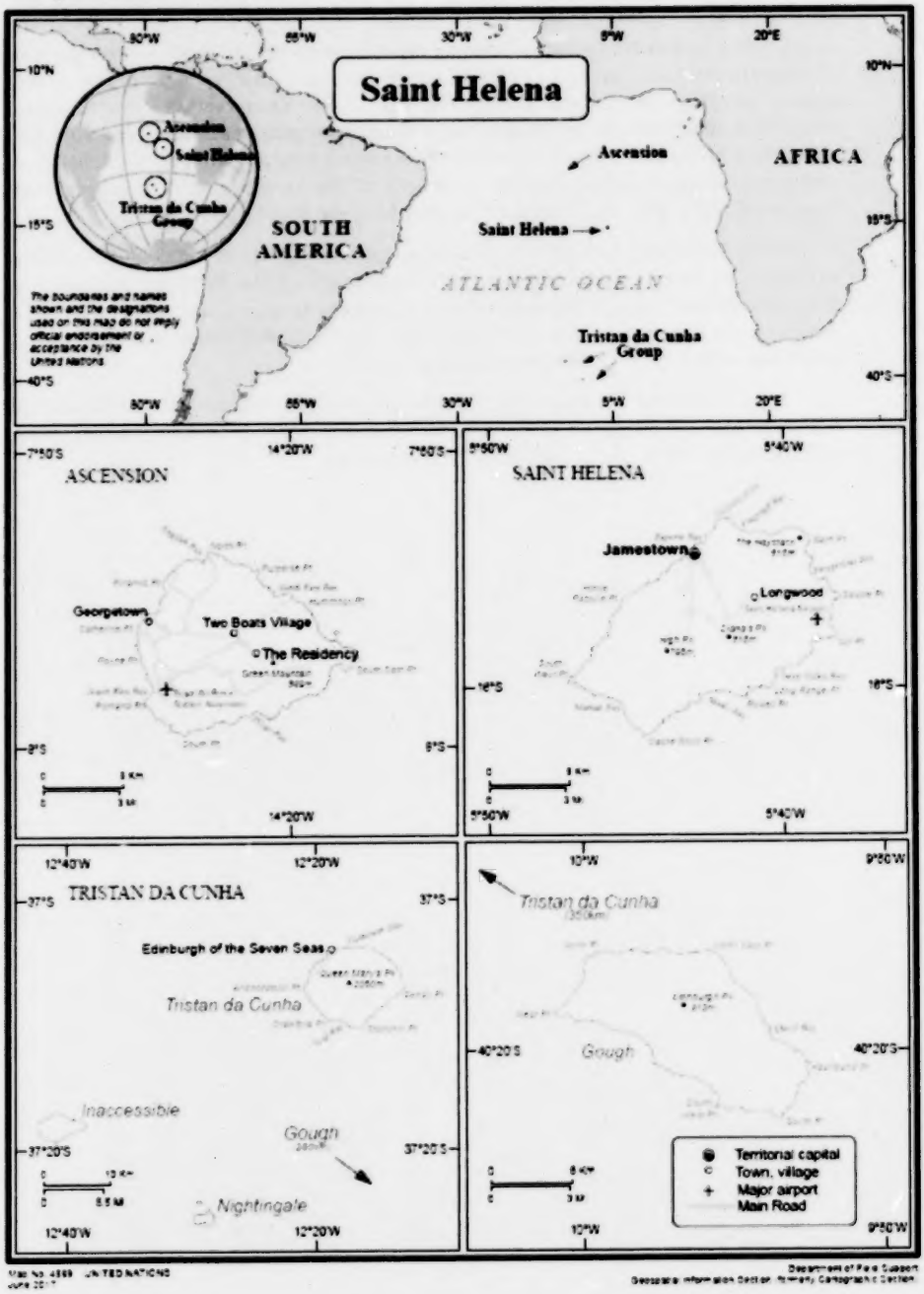
(l) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

(m) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(n) Requested the Special Committee to continue to examine the question of Saint Helena and to report thereon to the General Assembly at its seventy-third session and on the implementation of the resolution.

Annex

Map of Saint Helena



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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Tokelau

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 11 December 2017. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Tokelau is a Non-Self-Governing Territory, as defined under the Charter of the United Nations, administered by New Zealand.

Representative of administering Power: Administrator Jonathan Kings. According to the administering Power, Ross Ardern will assume office in early 2018.

Geography: Tokelau comprises three small atolls: Fakaofo, Nukunonu and Atafu. Each atoll comprises strips of land up to 200 m wide and not more than 5 m above sea level. Samoa, located 480 km to the south, is the nearest sizeable neighbour and the principal point of contact for Tokelau with the outside world. Access is possible only by ship, with an average of 30 hours' sailing from Samoa. There is no air service.

Land area: 12.2 km²

Exclusive economic zone: 318,990 km²

Population: 1,499 (October 2016 census), distributed as follows: Atafu: 519; Fakaofo: 448; Nukunonu: 448; and Samoa: 48 (Tokelau Public Service employees and their immediate families). There are 7,176 Tokelauans living in New Zealand (2013 census). As New Zealand citizens, Tokelauans may also reside in Australia.

Life expectancy at birth: 69.1 years (women: 70.4 years; men: 67.8 years (2010–2015 estimates))

Ethnic composition: Tokelauans are Polynesians with linguistic, familial and cultural links with Samoa.

Languages: Tokelauan. English and Samoan are also widely used.

Capital: None. Each atoll has its own administrative centre.

Head of territorial Government: Ulu-o-Tokelau. The position rotates annually among the leaders of each atoll.

Main political parties: None

Elections: Held in January every third year. The most recent election was held in January 2017.

Legislature: The unicameral General Fono

Economy: The principal sources of revenue are assistance provided by New Zealand through budgetary support and project funding, and fees from fisheries licences.

Monetary unit: New Zealand dollar ($NZ)

Gross domestic product per capita: $US 6,275 (Tokelau National Statistics Office)

Brief history: Originally inhabited by Polynesians from surrounding islands, Tokelau became a British protectorate in 1889, and administration was transferred to New Zealand in 1925. By the Tokelau Act 1948, sovereignty over Tokelau was transferred to New Zealand.

I. Constitutional and political developments

A. Local self-governance

1. As previously reported, the current process of constitutional development stems from the 1998 decision of the General Fono (the national representative body) to endorse a comprehensive report entitled "Modern house of Tokelau", which addressed the core issue that faced Tokelau in creating a constitutional framework that suited an atoll- or village-based self-governing community that respected traditional decision-making customs.

2. In accordance with the terms of that report, General Fono delegates are now elected on the basis of proportional village representation, with a system of universal village suffrage, rather than one of equal village representation with delegates appointed by the respective *taupulega* (village councils), as was previously the case. In 2017, 21 delegates were elected to the General Fono: seven from each of the three villages, including one representative of each village's *fatupaepae* (women's committee). In 2004, further decisions were made on the method of appointment of the Chair of the General Fono and on the role and responsibilities of the six-person Council for the Ongoing Government, which is the executive Government when the General Fono is not in session. The Council consists of three *faipule* (representatives of each village) and one General Fono delegate from each village, designated by the *taupulega*. The position of Ulu-o-Tokelau, or Head of Government, rotates annually among the three *faipule*. In February 2017, the Faipule of Nukunonu took over as Ulu-o-Tokelau. In February 2018, the Faipule of Fakaofo is expected to rotate into the position.

3. Since 2004, the three village councils have taken full responsibility for all village public services. That decision emanated from the Modern House of Tokelau approach, whereby the traditional Council of Elders on each atoll serves as the foundation for any future governance structure. Under that arrangement, the councils delegate authority to the General Fono for activities that need to be handled at the national level (see A/AC.109/2005/3).

4. The New Zealand official with the principal responsibility for maintaining the relationship with Tokelau is the Administrator of Tokelau, who is appointed by the Minister for Foreign Affairs of New Zealand. The current Administrator is Jonathan Kings, who is also the Deputy Secretary of the Ministry of Foreign Affairs and Trade, with responsibility for the Pacific and Development Group. Ross Ardern, serving as High Commissioner in Niue at the time of writing of the present paper, is expected to assume the role of Administrator in early 2018. The Office of the Administrator draws on advice and support from the Ministry, including the Special Relations Unit within the Pacific and Development Group.

B. Referendum process

5. In 2003, the General Fono took a formal decision, with the support of all three village councils, to endorse self-government in free association with New Zealand as the choice to be actively explored with the Government of New Zealand. In August 2005, the General Fono approved a draft constitution, as the basis for the proposed act of self-determination, and the text of a draft treaty of free association. In November 2005, the Cabinet of New Zealand gave its formal approval. The referendum package, consisting of the draft treaty and the draft constitution, was to

form the basis of the referendum on self-determination. In line with a decision by the General Fono, an overall majority of two thirds of the valid votes cast was required for a change to the status of Tokelau.

6. The first referendum on self-determination was held sequentially in Apia and on the three atolls from 11 to 15 February 2006 (see A/AC.109/2006/20). The outcome fell short of the required two-thirds majority, with 60 per cent of valid Tokelauan votes cast in favour of self-government in free association with New Zealand. The United Nations, which formally monitored the referendum, deemed the process credible and reflective of the will of the people of Tokelau. A representative of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, accompanied by a Political Affairs Officer of the Department of Political Affairs of the Secretariat, also observed the referendum process.

7. In August 2006, the General Fono voted to hold a second referendum on Tokelauan self-determination in late 2007. The proposed constitution and the draft treaty, commonly referred to as the self-determination package, were to be the same, and the legal threshold for acceptance of the proposal would remain at a two-thirds majority.

8. The second referendum was held from 20 to 24 October 2007. The result, with 64.4 per cent in favour, was again below the two-thirds threshold, thereby leaving the status of the Territory unchanged (see A/AC.109/2007/19). As with the first referendum, the United Nations formally monitored the voting, with representatives of the Special Committee and the Department of Political Affairs present as observers.

9. Following the results of the second referendum, the General Fono requested the Government of New Zealand to keep the entire self-determination package on the table. The Council for the Ongoing Government noted that Tokelau could in the future change the two-thirds majority threshold for the referendum, but should put in place measures to ensure that a threshold would be supported by a clear majority in each village, to guarantee unity. The Council also noted the Territory's strong commitment to self-determination and its wish to have a constitution, albeit one that did not encompass the provisions for free association and self-government.

10. The outcomes of the referendums, neither of which reached the threshold of support set by the General Fono for a change of status, have been acknowledged and accepted by New Zealand. As a follow-up to the result of the referendum held in 2007, the then Prime Minister of New Zealand met the leaders of Tokelau in February 2008 to discuss the next steps in the development of the New Zealand-Tokelau relationship. It was agreed that a "pause" should be taken in the self-determination efforts of Tokelau and that, in the meantime, Tokelau would focus on meeting its basic needs. That remains the situation.

II. Economic conditions

A. General economic overview

11. Tokelau faces major constraints to its economic growth, including such natural disadvantages as small size, isolation, distances between the atolls, lack of natural resources and natural disasters. The economic stability of the Territory has to date been made possible by the high levels of assistance provided by the administering Power. With the continued assistance of New Zealand, the Council for the Ongoing

Government intends to maintain its focus on improving the delivery of core public services, such as education, health and policing; completing key infrastructure projects, such as schools, hospitals, renewable energy, telecommunications and transport; and strengthening the Council and the Tokelau Public Service.

12. As part of a new fisheries policy aimed at maximizing the economic benefits from the sustainable use of its exclusive economic zone, Tokelau joined the Vessel Day Scheme in 2012. This mechanism allows vessel owners to purchase and trade days fishing at sea in places subject to the Nauru Agreement concerning Cooperation in the Management of Fisheries of Common Interest. The scheme is used to sustainably manage catches of target tuna species and increase the rate of return from fishing activities through access fees paid by distant water fishing nations. In October 2015, the General Fono approved fisheries reforms intended to further improve the administration and management of the Territory's offshore and inshore fisheries. The implementation of the reform programme continues and is guided by a fisheries reform steering group comprising representatives of Tokelau, the Office of the Administrator and the New Zealand Ministry for Primary Industries, which provides technical advice to the Administrator.

13. Traditional and communal values and practices play a key role in contributing to a state of general well-being in the Territory, as evidenced by the *inati* system and the importance attached to upholding the concepts of family and/or extended family. The tradition of *inati* requires the deposit at a central location of food and produce, which are then apportioned by the distributors on the basis of "share groups". The principle provides for a secure distribution system that addresses the needs of every member of the community, including older persons, widows, single parents and children.

B. Assistance to Tokelau by the administering Power

14. Assistance is provided through budget support and specific projects. In 2017/18, New Zealand will provide $NZ 11 million in general budget support to Tokelau and over $NZ 4 million for a range of other activities, including fisheries management, disaster preparedness, climate change adaptation, policing, scholarships, economic governance and education initiatives.

15. In addition to providing budget support and funding activities, New Zealand announced two major investments in the infrastructure of Tokelau in 2017:

(a) $NZ 15.8 million to upgrade the reef channels and onshore facilities at four locations in order to make ship-to-shore transfers of people and cargo safer and more efficient and to enable an inter-atoll vessel to operate;

(b) $NZ 22.2 million to connect the Tokelau atolls to a submarine Internet cable that will provide much faster Internet access, enabling better communication, administration and governance and improved health and education services.

16. A major capital project for the period 2012–2015, the passenger and cargo ship *Mataliki*, for which New Zealand provided $NZ 13 million, was handed over to Tokelau in February 2016.

17. The Tokelau International Trust Fund, formally established in November 2004, was designed to provide intergenerational security and an independent source of income to Tokelau in the future. With contributions from Australia, New Zealand,

Tokelau and the United Kingdom of Great Britain and Northern Ireland, the balance in the Fund as at 30 June 2017 was $NZ 87.398 million.

C. Transport and communications

18. Tokelau has no airstrips. Its transportation needs are met by regular passenger and cargo shipping services from Apia. According to the administering Power, and in recognizing that the quality of the transport service linking the atolls and providing connections to Samoa is vital to Tokelau, in 2016 the Government of New Zealand gave Tokelau the *Mataliki*, a purpose-built vessel that carries up to 60 passengers and essential cargo. New Zealand is also working to improve the transfer of passengers and cargo from ship to shore by upgrading wharves and reef channels (see para. 15 above).

19. Telecommunications services in Tokelau are provided by the Tokelau Telecommunications Corporation (Teletok). In June 2017, Teletok installed 4G cellular towers, which have enabled it to establish mobile phone service across the three atolls. New Zealand's investment in connecting Tokelau to a submarine Internet cable will also ensure that the atolls have high-speed Internet access (see para. 15 above).

D. Power supply

20. In 2012, Tokelau became the first area in the world to draw electrical power primarily from solar sources, following the completion of the Tokelau Renewable Energy Project, funded by the Governments of Tokelau and New Zealand. The initiative involved the installation of solar photovoltaic systems with large solar arrays on the three atolls.

21. The demand for electricity has grown since 2012. As a result, the Government of Tokelau has funded the expansion of photovoltaic systems and upgrades of the village distribution networks. As a Pacific island affected by climate change, Tokelau has made a commitment to renewable energy that can serve as an example for the developed world.

III. Social conditions

A. General

22. On 18 October 2016, Statistics New Zealand and the Tokelau National Statistics Office conducted the census, which is carried out every five years. The official de jure usually resident population of Tokelau is 1,499. This comprises the usually resident population present on the date of the census (1,197) and the usually resident subgroup of the population absent on that date (302). The overall figure represents a 6.2 per cent increase from the previous census, conducted in 2011. The first household income and expenditure survey was also completed in 2016. This survey estimates total annual household income at $NZ 7 million, with employment accounting for 77.2 per cent, imputed rents for 10 per cent, income from transfers (including remittances, social benefits, pension and scholarships) for 7 per cent and gifts (in kind and remittances) for 5.1 per cent. The survey estimates an average household size of

4.6 people and annual per capita income of $NZ 6,100. Some 40 per cent of the population of Tokelau is less than 20 years of age, with a median age of 25 years.

B. Education

23. In Tokelau, early childhood, primary and secondary education are free up to year 13 and provided by the three schools in Tokelau, one on each atoll. As an owner of the University of the South Pacific, Tokelau has access to the University's distance-learning foundation course through the University's satellite receiver and centre on each atoll. The cost of the University's local infrastructure and staff is covered by the Government of Tokelau. According to the administering Power, the Government of Tokelau is investing significantly in its scholarship scheme, which prioritizes study at the University.

24. With a significant financial commitment from New Zealand, Tokelau is carrying out a long-term plan to transform compulsory education with the assistance of the Centre for Educational Development of Massey University. Assistance is focused on the strengthening of school governance and leadership, the professional development of teachers and principals and the improvement of learning outcomes for students. There is evidence of substantial improvements in these areas, but much remains to be done. The Education Review Office of New Zealand is expected to visit the three villages of Tokelau in March 2018 to assess progress and consult with the village councils and education committees about priorities for the coming years.

25. New schools were completed on Atafu and Fakaofo in 2013 with funding from New Zealand. The exterior of the new school building on Nukunonu is nearing completion, but it could be early 2018 before all its rooms are fully equipped and all classes are held in the new building.

C. Health care

26. According to the administering Power, the provision of adequate health services on three dispersed atolls remains a major challenge. The Department of Health of Tokelau is staffing and equipping the new hospital on Nukunonu to serve as a base hospital, which will provide more emergency services to Tokelau. In addition, the investments in high-speed Internet access and the inter-atoll vessel will broaden the range of service provision options, including medical evacuation between atolls.

27. Tools and protocols are in place for early detection of non-communicable diseases and risk factors in all hospitals so that patients receive early support and management services, thereby reducing the risk of cardiovascular and cerebrovascular diseases. The Government of New Zealand supports regional organizations in providing technical assistance to reduce risk factors for non-communicable diseases, such as those resulting from tobacco use, and to provide better primary care for such diseases. It also supports immunization programmes and sexual and reproductive health services. In 2017, Tokelau, among other awardees in the Western Pacific region, won the World No Tobacco Day award, conferred by the World Health Organization, for its "tobacco-free Tokelau 2020" policy.

28. Tokelau has low infant and maternal mortality, thanks to the early referral of mothers for maternity care. Antenatal care coverage and coverage for child immunization is 100 per cent.

29. The Government of Tokelau reports that the proportion of the population with access to improved sanitation facilities is 93 per cent and the proportion with access to improved drinking water sources is 97 per cent.

IV. Environment

30. Tokelau is particularly susceptible to climate change, sea level rise, extreme climate events and related hazards. In July 2016, this reality led the General Fono to include climate change among its national development priorities under Tokelau's national development framework, 2016–2020. In April 2017, Tokelau officially launched its climate change strategy, entitled "Living with change: an integrated national strategy for enhancing the resilience of Tokelau to climate change and related hazards, 2017–2030". The strategy identifies three interrelated, climate-resilient, strategic investment pathways: mitigation (decarbonization development), adaptation (stronger integrated risk reduction and adaptation to enhance resilience in the face of climate change and disasters) and human development (capacity-building, education, training, public awareness and outreach). The corresponding implementation plan, which was also launched in April 2017, provides an overview for the first five years of the strategy, from 1 July 2017 to 30 June 2022.

V. External relations

31. As set out in paragraphs 9 and 10 of the Joint Statement of the Principles of Partnership between Tokelau and New Zealand, Tokelau, as a Non-Self-Governing Territory, does not have an international legal personality separate from that of New Zealand that would allow it to enter into formal international legal obligations as a State in its own right. In consultation with Tokelau, New Zealand is responsible for entering into any such obligations on behalf of Tokelau. Tokelau participates in regional and international organizations in its own right to the extent that such organizations allow.

32. Tokelau is seeking to increase its engagement with regional and international organizations. It is a member of the Pacific Community, the Pacific Community Coastal Fisheries Programme, the Council of the University of the South Pacific, the Pacific Regional Environment Programme and the Pacific Islands Forum Fisheries Agency. At the forty-fifth Pacific Islands Forum, held in Koror, Palau, from 29 to 31 July 2014, the participants agreed to admit Tokelau as an associate member. Tokelau is also a member of the Polynesian Leaders Group and an associate member of the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization and the Food and Agriculture Organization of the United Nations. In addition to New Zealand, Samoa is an important bilateral contact for Tokelau. The Territory continues to seek the support of New Zealand in gaining access to the Green Climate Fund and other adaptation and mitigation mechanisms.

33. Representatives of Tokelau attended the twenty-third session of the Conference of the Parties to the United Nations Framework Convention on Climate Change as part of the New Zealand delegation. At the session, New Zealand announced that, as requested by the Government of Tokelau, it had submitted a formal declaration to the United Nations to extend the territorial application of both the Convention and the Paris Agreement to Tokelau. The national reports of New Zealand under the Convention will now include action taken by Tokelau, which, according to the administering Power, is likely to result in increased recognition for the Territory's

climate mitigation work as well as a greater focus being placed on its vulnerability to the effects of climate change.

VI. Future status of the Territory

A. Position of the territorial Government

34. At the 4th meeting of the Special Committee, on 12 June 2017, the Ulu-o-Tokelau, Sio Perez, said that the people of Tokelau remained determined to develop their homeland. The Territory had been practising self-government for some time, and the biggest challenge lay in harmonizing the governance of the three distinct villages, whereas other challenges included the skills gaps in the workforce, the distance from supply markets and the transportation of goods and people. He emphasized the importance of supporting Tokelau in establishing its own governance structures. While self-determination was not an immediate priority, the work to build robust infrastructure, as well as clear structures, systems and procedures within village and national institutions to support good governance, was pivotal for the development of resilience and self-reliance.

35. The Ulu-o-Tokelau said that the reality of climate change was visible in the changes to the coastal environment, rising temperatures and the acidification of lagoons, which had affected food security. He noted that, owing to its political status, Tokelau was not eligible for many United Nations climate change-related resources, such as grants from the Green Climate Fund.

36. Turning to developments in Tokelau, he provided an update to the Committee on a range of initiatives, including the ongoing construction of a new school and hospital. The Government of New Zealand was working with Tokelau to improve the quality of teaching in schools, to mitigate risks in its fisheries sector and to ensure active participation in climate-change programmes. A cellular telecommunications network had been established, and the Government of New Zealand was working with Tokelau on linking the Territory to a submarine Internet cable to improve connectivity.

37. He concluded by noting that Tokelau had come a long way, and such progress would not have been possible without the generous support of the Government of New Zealand. Tokelau was very grateful for the assistance it continued to receive as it strove to meet the aspirations of its people for a stronger, brighter and more reliable future. It was also grateful for the interest shown by the Committee and the United Nations as a whole in the welfare of Tokelauans.

B. Position of the administering Power

38. The former Administrator of Tokelau, David Nicholson, also spoke at the 4th meeting of the Special Committee. He said that Tokelau faced persistent challenges owing to its small population and its location. Nonetheless, Tokelau had consistently charted a course that preserved its unique culture, language and traditions, and sought assistance to safeguard its environment and adapt to the impacts of climate change. At the behest of Tokelau, New Zealand remained focused on improving quality of life on the three atolls and supported Tokelau in its careful, deliberate and forward-looking approach to self-governance. He added that it was not for New Zealand to set the pace of the decolonization process, but rather to support Tokelau in working

towards an outcome of sustained autonomy, where it would have as much self-governance as was feasible, in accordance with its own preferences.

39. New Zealand was committed to its constitutional relationship with the Government and people of Tokelau and remained focused on ensuring that all Tokelauans received appropriate essential services, while also supporting and building Tokelauan governance capability and confidence.

40. New Zealand had contributed $NZ 12 million to the 2016/17 general budget for the provision of core public services and expected to contribute an additional $NZ 5 million for improvements in transportation, education, fisheries management, governance, biosecurity and disaster resilience.

41. The Administrator said that New Zealand continued to value its close association with Tokelau, was resolute in supporting those remote communities of New Zealand citizens and welcomed the Committee's ongoing interest in Tokelau.

VII. Consideration by the United Nations

A. Consideration of the question of Tokelau by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

42. The Special Committee considered the question of Tokelau at its 4th and 7th meetings, held on 12 and 22 June 2017, respectively. At the 7th meeting, the representative of Papua New Guinea, also on behalf of Fiji, introduced draft resolution A/AC.109/2017/L.7, which the Special Committee adopted without a vote. The representative of Sierra Leone made a statement (see A/AC.109/2017/SR.7).

B. Consideration of the question of Tokelau by the Special Political and Decolonization Committee (Fourth Committee)

43. At the 6th meeting of the Special Political and Decolonization Committee (Fourth Committee), held on 6 October 2017, the Permanent Representative of New Zealand, on behalf of the administering Power and the Administrator of Tokelau, said that his country's relationship with Tokelau was based on partnership. Working closely with the leadership and the people of the Territory, New Zealand had been guided by the pace they set as they progressed towards the future of their own choosing. The most recent referendums, held in 2006 and 2007, had fallen short of the majority required for Tokelau to become a self-governing Territory in free association with New Zealand.

44. The Territory was developing its own style of governance, which blended its traditional village-based leadership with national political institutions. The many positive recent developments included the establishment of the Public Service Commission, improvements in the quality of its public financial management and the creation of the Fisheries Management Agency to manage offshore resources. In addition, Tokelau had built its international profile on climate change, attending multilateral meetings to highlight the impact of climate change on the small nations of the Pacific. New Zealand supported those developments and, given its commitment to improving the quality of life of its most remote citizens, would continue to fund

the budget of Tokelau, to invest in improving its infrastructure and public services and to support the Territory in improving its governance processes.

45. While the Administrator of Tokelau and the Minister for Foreign Affairs of New Zealand both had statutory responsibilities for Tokelau, in practice the leaders of Tokelau bore those responsibilities and made decisions for the people of the Territory on a day-to-day basis. That complexity demanded clear and open communication and made it necessary to operate on a "no surprises" basis. Operating in that way enabled New Zealand to navigate the unique and evolving nature of its relationship with Tokelau.

46. In closing, the representative welcomed the ongoing interest of the Fourth Committee in Tokelau and said that New Zealand would continue to provide timely and accurate information to assist the Committee and the wider United Nations system.

47. At its 9th meeting, on 10 October 2017, the Fourth Committee adopted without a vote draft resolution XV (see A/72/23, chap. XIII) on the question of Tokelau.

C. Action taken by the General Assembly

48. At its 66th plenary meeting, on 7 December 2017, the General Assembly adopted without a vote resolution 72/107 on the question of Tokelau. In that resolution, the Assembly:

(a) Acknowledged the decision of the General Fono in 2008 that consideration of any future act of self-determination by Tokelau would be deferred and that New Zealand and Tokelau would devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau were enhanced and strengthened, thereby ensuring an enhanced quality of life and opportunities for the people of Tokelau;

(b) Welcomed the progress made towards the devolution of power to the three *taupulega* since 2004, and noted that further discussion was planned on the recommendations in the report on the devolution review, compiled in 2012;

(c) Noted with appreciation that Tokelau and New Zealand remained firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current requirements;

(d) Recalled the consideration by Tokelau of its National Strategic Plan for 2016–2020, which prioritized good governance, human development, infrastructure development, sustainability and climate change adaptation, and noted the completion by Tokelau of the Plan, which determined development and other priorities for the 2016–2020 period, and the Plan's focus on infrastructure development to support service delivery, including through transport and telecommunications solutions;

(e) Acknowledged the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, including through new shipping service assets and shipping infrastructure development, as well as the support and cooperation of the United Nations Development Programme and WHO;

(f) Commended the completion by Tokelau in 2013 of the Tokelau Renewable Energy Project with the support of the administering Power and receipt by the

Government of the Renewable Energy Award granted by the New Zealand Energy Efficiency and Conservation Authority;

(g) Acknowledged the need of Tokelau for continued support from the international community and its desire to become part of the discussions on the 2030 Agenda for Sustainable Development,[1] the impacts of climate change and the protection of the environment and oceans;

(h) Recalled with satisfaction the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau, and called upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

(i) Welcomed the cooperative attitude of the other States and territories in the region towards Tokelau and their support for its economic and political aspirations and its increasing participation in regional and international affairs, and in that regard noted the successful chairmanship by Tokelau of the tenth annual ministerial meeting of the Forum Fisheries Committee of the Pacific Islands Forum Fisheries Agency, held in Tokelau on 1 and 2 July 2014, the representation of the Agency by the Ulu-o-Tokelau at the third International Conference on Small Island Developing States, held in Apia from 1 to 4 September 2014, and the signing by Tokelau of the Pacific Islands Development Forum Charter on 27 April 2016 so as to become the twelfth member of the Forum;

(j) Called upon the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

(k) Recognized the positive actions taken by the administering Power to transmit to the Secretary-General under Article 73 *e* of the Charter of the United Nations information regarding the political, economic and social situation of Tokelau;

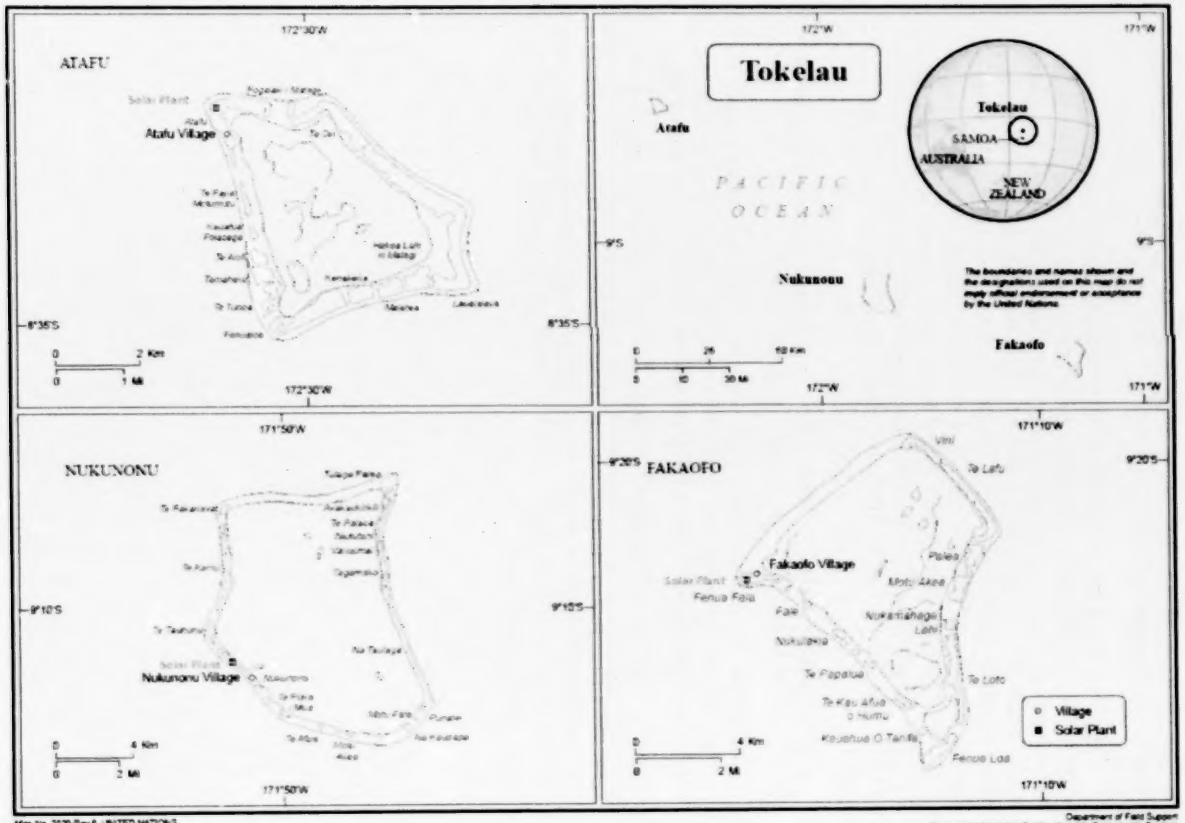
(l) Commended the commitment of both Tokelau and New Zealand to continuing to work together in the interests of Tokelau and its people;

(m) Requested the Special Committee to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its seventy-third session.

[1] Resolution 70/1.

Annex

Map of Tokelau



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Turks and Caicos Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 18 December 2017. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The Turks and Caicos Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor John Freeman (October 2016)

Geography: The Territory, which comprises 40 islands and cays, lies 145 km north of Haiti and the Dominican Republic and 925 km south-east of Miami, United States of America. Six islands are permanently inhabited: Grand Turk, where the capital is located; Providenciales, the business and tourist centre with the great majority of the population; North Caicos; Middle Caicos; South Caicos; and Salt Cay.

Land area: 948.2 km^2

Exclusive economic zone: 154,068 km^2

Population: 37,910 (2016 estimate): 38.1 per cent are citizens, or "belongers"; 61.9 per cent are immigrants, or "non-belongers", from the Bahamas, Canada, the Dominican Republic, Haiti, the United Kingdom, the United States and other countries (2012 census)

Life expectancy at birth: 79.8 years (men: 77.1 years; women: 82.7 years (2016 estimate))

Language: English

Capital: Cockburn Town

Head of territorial Government: Sharlene Cartwright-Robinson (December 2016)

Main political parties: People's Democratic Movement; Progressive National Party

Elections: Most recent: 15 December 2016; next: due by December 2020

Legislature: House of Assembly

Gross domestic product per capita: $16,813 (2015 estimate)

Economy: Tourism, financial services, construction

Unemployment rate: 11 per cent (2015 estimate)

Monetary unit: United States dollar

Brief history: The first inhabitants of the islands were the Arawakan-speaking Taino people. In 1799, the islands were annexed by Great Britain as part of the Bahamas and subsequently Jamaica. They became a separate colony of the United Kingdom in 1962, when Jamaica achieved independence, but they maintained close constitutional ties with the Bahamas. After the Bahamas became independent, in 1973, a governor replaced the former administrator of the Turks and Caicos Islands.

I. Constitutional, legal and political issues

1. The Turks and Caicos Islands Constitution Order 2011, which entered into force on 15 October 2012, provides for a governor as the head of the Government, a house of assembly composed of elected and appointed members and the Attorney General, with a cabinet and ministers appointed from among those elected or appointed members.

2. The 2011 Constitution also provides for the judiciary, the public service and a number of institutions protecting good governance, notably an integrity commission, a human rights commission, an auditor general and a director of public prosecution. Provisions are also made in relation to Crown land and public financial management. Under the Order, the British Crown reserves the power, with the advice and consent of the Privy Council of the United Kingdom of Great Britain and Northern Ireland, to make laws for the peace, order and good governance of the Territory.

3. The Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security, including the police force, and some public service matters.

4. The legislature, the House of Assembly, comprises the Speaker, 15 elected members, 4 appointed members and the Attorney General. Ten members are elected to represent one electoral district each and the remaining five are elected by Territory-wide vote.

5. The law of the Territory consists mainly of locally enacted statutes, along with some laws enacted in the United Kingdom and applied to the Territory, and English common law. The court system includes magistrates' courts, the Supreme Court and the Court of Appeal, with ultimate recourse to the Judicial Committee of the Privy Council. On the advice of a judicial service commission, the Governor appoints magistrates and the judges of the Supreme Court and the Court of Appeal.

6. According to the administering Power, the recent past has seen political turbulence in the Turks and Caicos Islands. The Territory operated on the basis of a ministerial system of government under the 2006 Constitution, negotiated between the elected territorial Government and the United Kingdom, until 14 August 2009, whereupon the United Kingdom brought into force legislation that, among other things, temporarily suspended parts of the Constitution, thereby removing the Government and the House of Assembly. The United Kingdom stated that the action had been motivated by mounting evidence of systemic corruption in the territorial Government and legislature and among public officers, which was uncovered by a commission of inquiry established in July 2008 (see also section IV.E, below).

7. Between August 2009 and November 2012, the Governor, who had been given extended powers, worked under interim constitutional arrangements with an advisory council and a consultative forum. Each was constituted by islanders appointed by the Governor. The arrangement was referred to as the "interim Government", the "interim Administration" or "direct rule".

8. Coinciding with the 2009 suspension of parts of the 2006 Constitution, an economic downturn and austerity measures required to "balance the books" and to ensure that public services in the Territory could continue to function led to layoffs in the public sector. According to the administering Power, doing so generated a degree of resentment among some residents, who perceived the layoffs as being a direct result of the intervention by the United Kingdom.

9. In 2011, the United Kingdom passed a new constitution for the Turks and Caicos Islands, the Territory's fifth since 1962. It added a variety of good governance initiatives and measures to ensure the sound management of public finances.

10. The interim Administration came to an end on 9 November 2012 when elections were held. With an 84 per cent voter turnout, the Progressive National Party, which had been in office when the previous Government was removed in 2009, won eight seats, while the People's Democratic Movement won seven seats. The leader of the Progressive National Party, Rufus Ewing, was sworn in as Premier on 13 November 2012, returning elected government rule to the Territory.

11. In February 2013, the Caribbean Community noted with grave concern that, although the elections of November 2012 had led to the restoration of representative government in the Territory, the overall state of political affairs remained less than desirable and the restoration of true democracy was still a far way off. It dispatched a ministerial fact-finding mission to the Territory in June 2013. According to media reports, the mission's internal report contained a number of recommendations, including the holding of a referendum on the acceptance of British rule under the current Constitution. In March 2014, the Heads of Government of the Community received an update on the situation, undertaking to continue to monitor it and expressing their support for the full restoration of democracy in the Territory on terms driven by its people. Furthermore, they said that they continued to look forward to a response from the Government of the United Kingdom to the mission's report.

12. For its part, in September 2013, the House of Assembly established an eight-member constitutional review committee, which comprised representatives of the territorial Government, the opposition and the public, that was mandated to review the 2011 Constitution, hold consultations with the public and make recommendations by 15 November 2014 to the House for constitutional changes to be debated and ratified for onward submission to the Foreign and Commonwealth Office of the United Kingdom.

13. In its report submitted to the Premier in November 2014, the Committee made a series of recommendations relating to most parts of the 2011 Constitution, which included the reinstatement of the automatic right to trial by jury enshrined in the 2006 Constitution, the inclusion of a requirement that the Premier be a Turks and Caicos Islander, the repeal of the provision disqualifying someone from running for Premier after serving two consecutive terms in that post and the removal of the reference to the Office of the Chief Financial Officer. With regard to a referendum on independence, the Committee stated that it was a matter for the political hierarchy and not within its terms of reference.

14. The final report was debated and passed by the House of Assembly in January 2015, and the recommendations of the Committee were forwarded to the Government of the United Kingdom for its consideration. According to the administering Power, after careful consideration, the Government of the United Kingdom did not accept those recommendations on the grounds that the current Constitution was key to ensuring that the Turks and Caicos Islands continued to meet internationally recognized standards of good governance, the rule of law and sound financial management. However, the post of Chief Financial Officer (see para. 13) was abolished in March 2017.

15. In April 2016, then Governor Peter Beckingham reportedly stated that if the people of an overseas territory wished to consider the possibility of independence, the United Kingdom would not stand in the way of a referendum. He also stated that

it would be for the people of the Turks and Caicos Islands to make up their own minds about whether the benefits of the relationship with the United Kingdom, including education, access to Europe, support for government institutions and security, outweighed the advantages of becoming an independent country.

16. In the general election held on 15 December 2016, with 80.4 per cent voter turnout (6,217 votes cast out of 7,732 registered voters), the People's Democratic Movement won 10 of the 15 elected seats in the House of Assembly, returning to the majority after a 13-year hiatus. Its leader, Sharlene Cartwright-Robinson, became the first female Premier of the Territory on 19 December 2016.

II. Budget

17. According to the administering Power, the territorial Government achieved an unaudited operating surplus of $59.2 million in the financial year 2016/17 ($67.3 million in 2015/16). The surplus, which was $23.3 million above the approved budget projection, was driven by increases in recurring revenues and lower than planned expenditure on recurring activities. The surplus is as calculated before capital expenditure of $23.5 million and principal debt repayments of $11.9 million. The actual performance for the 2016/17 budget cycle included recurring revenues of $262.9 million and recurring expenditures of $202.6 million. The improvement in revenue performance in 2016/17 was tied, in particular, to continued growth in the tourism sector and the levying of a stamp duty land tax and import duties.

18. With respect to the 2017/18 budget, the approved revenue target is $273.5 million (a 9.1 per cent increase over that of the 2016/17 budget), the recurring expenditure target is $223.5 million, the capital expenditure target is $38.3 million and the non-recurring expenditure target is $6.0 million. It is projected that there will be a surplus of $6.0 million.

19. Following Hurricane Irma and Hurricane Maria, a revised budget and supplementary estimate was produced to take into account the forecasted loss in revenue from the tourism industry and associated sectors and to reprioritise government expenditure to recover from the Hurricanes. Subsequently, a deficit budget of $23 million was agreed upon, with the recurring revenue target decreased to $216 million and the recurring expenditure budget reorganized at $223.2 million. The capital expenditure budget was reduced to $20.3 million, which matched a non-recurring receipt of $20.4 million from the Caribbean Catastrophe Risk Insurance Facility ($16.4 million) and the European Development Fund ($4 million, for the construction of a new primary school).

20. The territorial Government levies no corporate or personal income tax, capital gains tax or inheritance tax. Foreign corporations pay licence fees to operate in the Territory.

21. Under the eleventh European Development Fund, the Turks and Caicos Islands was granted an indicative amount of €14.6 million for the period 2014–2020. According to a press release of the European External Action Service dated 21 September 2017, the European Union disbursed €4 million in budget support to the Territory under the education sector reform programme. That was the first of three annual tranches envisioned in the financing agreement signed in February 2017 between the European Union and the territorial Government.

III. Economic conditions

A. General

22. The main sectors of the economy are tourism and financial services. The Territory's gross domestic product (GDP) in 2016 in terms of current prices was estimated at $950.4 million, up from $893.5 million in 2015. The official statistics indicate that the estimated real growth of the economy in 2016 in constant terms was 6.4 per cent, which continued to be mainly attributed to growth in tourism. The territorial Government projects that real GDP in 2017 will reach approximately $671.5 million, representing a forecasted annual growth of 4.3 per cent, compared with approximately $644 million in 2016.

B. Tourism and construction

23. Tourism continues to be the Territory's primary industry, continuing to account for approximately 40 per cent of its GDP in 2016. Tourism also contributes over 25 per cent of the Government's annual recurring revenue. Both foreign investors and visitors, mainly from Canada, the United Kingdom and the United States of America, play significant roles. According to official statistics, cruise passengers accounted for nearly 847,000 visitors in 2016, which represents more than two-thirds of total visitors. The number of ships dropped by 33 and the number of cruise passengers by approximately 80,000, compared with 2015. The vast majority of stopover tourists continue to be accommodated at resorts on Providenciales. The GDP of the hotel and restaurant sector grew by 4 per cent in 2016, but that sector was considerably affected by the tropical storms of September 2017, with initial estimates suggesting a 25 per cent decline.

24. According to information provided by the administering Power, construction activity grew by approximately 5 per cent in 2016 and was forecasted to grow further in 2017, with significant government investment in the sector. According to the administering Power, growth is now likely to be much reduced, if not negative, given the effects of the hurricanes of September 2017.

C. Financial services

25. International financial services, including company registration, trust business and insurance, are a source of external revenue for the Turks and Caicos Islands. According to the administering Power, a significant part of the Territory's financial services sector is the licensing of small captive reinsurance companies that operate primarily in the United States. There are seven commercial banks in the Territory, three of which are Canadian. The licensing, supervision and development of the international financial services sector are entrusted to the Turks and Caicos Islands Financial Services Commission, which also provides a centralized service for registering companies, partnerships, trademarks and patents in the Territory. According to the administering Power, from April 2015 to March 2016, the industry as a whole remained strong, with the number of banks remaining steady compared with the previous year. Total assets in the banking sector contracted by 2.7 per cent during that review period, mainly owing to the reduction of loans and advances (4.1 per cent) and placements at other institutions (4.4 per cent). Non-performing loans also contracted by 31.9 per cent. There was continued growth in the

international insurance sector, which continued to be supported by the expansion of international company incorporation.

26. According to the administering Power, the territorial Government continued to seek treaty partners for tax information exchange agreements. In December 2013, the Territory signed the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information based on article 6 of the Convention on Mutual Administrative Assistance in Tax Matters. The Territory has also signed agreements under the Foreign Account Tax Compliance Act with the United Kingdom and the United States.

27. In April 2016, the Turks and Caicos Islands concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information. According to the administering Power, under the arrangement, which took effect on 26 June 2017, law enforcement authorities will have timely access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions.

28. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, held in London on 28 and 29 November 2017, the overseas territories and the United Kingdom welcomed the progress made by the overseas territories with financial centres in implementing the arrangements set out in the exchange of notes on law enforcement exchange of beneficial ownership information, including establishing new and secure systems for the collection, exchange and use of beneficial ownership data, where they did not already exist. The Joint Ministerial Council committed itself to reviewing the effectiveness of the arrangements six months prior to their implementation deadline. It welcomed the cooperation of the overseas territories in international efforts to promote tax transparency and tackle financial crime and the constructive engagement of the overseas territories with the Code of Conduct Group (Business Taxation) of the European Union and at the first meeting of the Global Forum on Asset Recovery. The Joint Ministerial Council reiterated its commitment to showing leadership in tackling corruption and committed itself to prioritizing further work to enable the timely extension to the territories of the application of the United Nations Convention against Corruption, in particular when Territories have requested such an extension, and to set a clear path for that process, building on the meeting held during the seventh session of the Conference of the States Parties to the Convention, held in Vienna from 6 to 10 November 2017.

D. Agriculture and fisheries

29. Agriculture and fisheries typically account for less than 1 per cent of the Territory's GDP. Agricultural production is limited by the lack of fresh water and consists mainly of the growing of vegetables and citrus fruits on the Caicos Islands. According to the administering Power, there are no medium or large commercial producers of either crops or livestock.

30. Fishing is the Territory's main primary sector industry. A recent pelagic fishing study found that the Territory was producing as much as 5,000 pounds of tuna, swordfish, mahi-mahi and other deepwater fish per year for the local and export markets.

E. Communications and utilities

31. The Territory's transport and communications facilities are of fairly good quality. The road network covers about 120 km, with 24 km of paved roads on Grand Turk, Providenciales and the Caicos Islands. Owing to the effects of Hurricane Irma and Hurricane Maria, communications outside of Providenciales are poor.

32. The Territory has three international airports: the main one on Providenciales and smaller ones on Grand Turk and South Caicos. Flights are available to Antigua and Barbuda, the Bahamas, Canada, Cuba, the Dominican Republic, Haiti, Jamaica, the United Kingdom and the United States (including Puerto Rico).

33. The main commercial port of South Dock is situated on Providenciales. Grand Turk has a commercial port and a cruise ship terminal. North Caicos has a deepwater port.

34. Three telecommunications companies provide national and international telephone services in the Territory. There are two television stations in the Territory. The two main weekly newspapers also maintain websites.

35. The Territory has a monopoly supplier of electricity that produces electricity exclusively from diesel-powered generators. Numerous studies have indicated that, owing to the excessive cost of electricity generation, solar and wind technologies would not only be economically viable but also offer a less-expensive alternative for private individuals.

IV. Social conditions

A. General

36. In its 2012 preliminary census report, the Territory noted that, of the total population of 31,458, 16,037 (51 per cent) were men and 15,421 (49 per cent) were women. Around 74 per cent of the total population was over 18 years of age. According to official information, people from approximately 70 countries live in the Turks and Caicos Islands. In 2012, nationals of Haiti were the largest group, comprising 34.7 per cent of the population, followed by nationals of the Dominican Republic at 4.8 per cent. The territorial Government estimated that the total population in 2016 was 37,910 (20,296 men and 19,496 women).

37. The Turks and Caicos Islands National Insurance Board, a statutory body of the territorial Government, is the sole provider of social insurance benefits to persons between 16 and 65 years of age who are gainfully employed within the Territory.

38. According to the 2012 *Turks and Caicos Islands Country Poverty Assessment Report*, 22 per cent of the population and 16 per cent of households were living in poverty, compared with 26 per cent and 18 per cent, respectively, in 1999. On the other hand, the number of people living in poverty in 2012 was much higher (approximately 6,800) than it was in 1999 (around 3,900), owing to the high level of population growth since 1999. The Department of Social Development continues to assist the poor and vulnerable through various programmes, including free medical care, in partnership with the Ministry of Health and Human Services.

B. Labour and immigration

39. The public sector continues to be the Territory's main employer. Other major employment sectors include tourism, construction and international financial and business services. According to official sources, the unemployment rate in 2015 was 11 per cent, down from 12 per cent in 2014.

40. Data from the 2012 preliminary census report indicate that immigrants accounted for 57.5 per cent of the population aged 18 and older. The rate of growth of the immigrant population was much higher than that of citizens.

41. According to the administering Power, since 2012, the Territory has put in place a transparent and simplified system to obtain British overseas territory citizenship. In 2015, a new Turks and Caicos Islander Status Ordinance was passed, which articulated the circumstances for acquiring islander status by right or by grant, in keeping with the Turks and Caicos Islands Constitution Order 2011. In addition, a new immigration ordinance, passed by Parliament in September 2015, was the first ever to include provisions on asylum. In the view of the administering Power, this attests to the Territory's commitment to its obligation under the United Nations 1951 Convention relating to the Status of Refugees.

42. According to the administering Power, while border security remains a concern, the commissioning of a coastal radar station, coupled with diplomatic engagement with countries of origin and working relationships with the marine branch of the police and other response agencies, has proved to be an important tool in the interception and screening of persons seeking to cross borders by sea.

C. Education

43. Education in the Territory is free and compulsory for children from 4 to 16 years of age. There are 47 schools, with a total enrolment of approximately 5,200 pupils, covering preschool to tertiary education. Of those, 10 primary schools and 4 secondary schools are run by the territorial Government. While there are more private schools than public schools, approximately 80 per cent of pupils are enrolled in public schools. There are also two schools for children with special needs. The adult literacy rate among islanders is estimated at 98 per cent, while that of immigrants is much lower.

44. With regard to higher education, the Turks and Caicos Islands Community College, a community college with branches on Grand Turk and Providenciales, provides two-year and four-year courses of study. According to the administering Power, the College, in its five-year strategic plan, identified as priority areas the strengthening of its leadership and administration and the expansion of programme offerings to reflect the Territory's development needs.

45. Students from overseas territories benefit from the home student rate for school fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. In addition, those students have access to funding provided by the European Union for higher or vocational education.

D. Public health

46. According to the administering Power, medical facilities in the Turks and Caicos Islands have improved in recent years with the opening of new hospital facilities operated by Interhealth Canada on Providenciales and Grand Turk. They conduct a range of activities, including diagnostic services, family practice and outpatient specialty clinics, emergency services and inpatient care. Serious cases are referred overseas, including regionally to the Bahamas, the Dominican Republic or Jamaica. If a service is not available regionally, serious cases are referred to facilities outside the Caribbean. Primary health-care facilities are operated by the Primary Health Care Department on all islands.

47. According to the Pan American Health Organization (PAHO), the "Vision 2020" health sector plan includes a primary health care renewal strategy aimed at reducing the use of expensive hospital services and improving access to primary care. The clinical personnel-to-population ratio rose for physicians, from 10.8 per 10,000 persons in 2010, to 18.7 in 2015, and for nurses from 30.3 per 10,000 persons in 2010, to 57.1 in 2015. The ratio for dentists remained unchanged at 1.8 per 10,000 persons, and the ratio for health professionals in 2015 was 32.7 per 10,000 persons. During the period 2010-2016, new and emergent disease threats were posed in large part by mosquito-borne diseases, such as those caused by the dengue, chikungunya and Zika viruses. In 2015, the tobacco control ordinance was enacted to protect the population and visitors from the harmful effects of tobacco.

48. At its sixth meeting, the Overseas Territories Joint Ministerial Council welcomed the fact that the Department of Health of the United Kingdom had continued its support for and commitment to, in partnership with the territories and Public Health England, raising awareness of international health regulations and to developing the relevant capacity to respond to major public health incidents, including outbreaks. The United Kingdom and the overseas territories discussed the importance of raising awareness of and building capacity and expertise in the territories for tackling non-communicable diseases, such as obesity and mental health problems, and the impact of those challenges on the populations of the territories. They committed themselves to working together on those important issues so as to share best practices and resources on preventive approaches and the ways in which they could be adapted to respond to local needs.

E. Crime and public safety

49. The crime rate in the Turks and Caicos Islands remains low. While most offences consist mainly of theft and burglary, there is also some violent crime, such as armed robbery and murder. According to PAHO, Turks and Caicos Islands has enacted legislation that criminalizes human trafficking and mirrors the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In the period 2015–2016, there were 352 reported cases of domestic violence. The domestic violence ordinance of 2014 provides greater protection for victims of domestic violence.

50. In 2017, the United Kingdom continued to provide funding for a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and the provision of strategic advice in order to introduce new techniques and skills to the Territory's law enforcement agencies. Furthermore, RFA

Mounts Bay has been stationed in the Caribbean since January 2017, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom and providing humanitarian assistance, disaster relief and crisis communications support in the region. The ship also worked with other regional navies and coast guards to combat illegal activities on the high seas. RFA *Mounts Bay* and HMS *Ocean* provided vital humanitarian relief to the region, in particular to the three Territories — Anguilla, the British Virgin Islands and the Turks and Caicos Islands — affected by Hurricane Irma and Hurricane Maria, in September.

51. As previously reported, a large criminal investigation by the Special Investigation and Prosecution Team, appointed during the interim Administration when the Governor ruled directly after parts of the Constitution had been suspended, resulted in 14 people (including a former Premier and cabinet ministers) being charged with serious criminal offences. According to the administering Power, the trial process began formally in December 2015, with nine defendants facing a large number of charges, including the former Premier, Michael Misick. He faces charges of conspiracy to receive bribes, conspiracy to defraud the Government and money-laundering relating to his time in office. He was arrested in Brazil in 2012 and extradited to the Turks and Caicos Islands in 2014. He was released on conditional bail by the Supreme Court in January 2014. The administering Power estimated that the trial, which began in January 2016, would last between 12 and 18 months. As at December 2017, the trial was ongoing.

F. Human rights

52. In addition to the Convention for the Protection of Human Rights and Fundamental Freedoms, major international human rights instruments have been extended to the Turks and Caicos Islands. The right of individual petition to the European Court of Human Rights also has been extended to the Territory.

53. To strengthen the human rights framework in the Territory, the 2011 Constitution included a preamble in which the people of the Turks and Caicos Islands affirmed their intention to commit to the democratic values of a just and humane society, pursuing dignity, prosperity, equality, love, justice, peace and freedom for all. In addition, according to the administering Power, the section therein covering fundamental rights and freedoms of the individual provided a more comprehensive and inclusive legal framework that was more aligned to the protections guaranteed by the Convention than that of the previous 2006 Constitution, as evidenced, for example, by the addition of sexual orientation as a protected right.

54. The Human Rights Commission was established in 2008 as one of the institutions tasked with the protection of good governance under the framework set out in the 2011 Constitution. Its primary responsibility is to promote understanding and the observance of human rights. Its operation and functions are governed by subordinate legislation under the Turks and Caicos Islands Human Rights Commission Ordinance 2013.

55. The Equalities Ordinance 2012 offers protection from discrimination additional to that contained in the 2011 Constitution, identifying the protected characteristics of age, disability, marriage, political opinion, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

56. At the sixth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the leaders of the overseas territories discussed their shared

resolve to continue to promote respect for human rights and compliance with international obligations in the territories. In the communiqué adopted at that meeting, they welcomed the constructive engagement of the territories in the preparations for the universal periodic review process of the Human Rights Council in that regard. The leaders of the overseas territories also reaffirmed their commitment to ensuring the highest possible standards for the protection of children and promotion of children's welfare in the territories. At the meeting, the United Kingdom and the overseas territories discussed progress made in promoting interagency cooperation in the territories and the development of national response plans to define policy priorities, noted the particular challenges for those territories affected by the recent hurricanes and agreed that children's welfare should remain a central priority for recovery plans, including through the reconstruction of schools. In addition, they welcomed progress made under a memorandum of understanding to promote more effective collaboration between the overseas territories for the safeguarding of children.

V. Environment

57. The Territory's Department of Environment and Coastal Resources is responsible for the conservation, protection and management of the Territory's natural resources, including wetlands, which cover nearly half of the surface of the islands. Most of the Territory's tourism-based economy hinges on maintaining a natural environment of high quality. While Providenciales and, to a lesser extent, Grand Turk are undergoing rapid development, many of the other islands, such as North Caicos, Middle Caicos and South Caicos, are experiencing less development. East Caicos remains largely untouched and ecologically intact.

58. The Department requires an environmental impact assessment to be conducted for all development projects to ensure that such development will not cause undue damage to the environment and that the best options are taken into account and/or inevitable impacts are mitigated. According to the administering Power, careful attention is given to the delicate balance between development and environmental preservation.

59. The Territory regularly participates in regional meetings sponsored by the Caribbean Regional Fisheries Mechanism, at which planning for sustainable fisheries and disaster risk management are discussed along with climate change issues. The administering Power also continues to provide funds for projects focused on environmental sustainability.

60. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the Governments of the United Kingdom and the overseas territories recognized that the destruction wrought by Hurricane Irma and Hurricane Maria had served as a reminder of the vulnerability of the overseas territories to climate change-related events and the devastating effect that they could have on the lives and livelihoods of those who lived there. They committed themselves to continuing the practice of mutual engagement ahead of international forums on climate change, to ensure that the views and priorities of the overseas territories were fully reflected in negotiations. It was agreed that a representative from the territories would attend the twenty-fourth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Katowice, Poland, from 3 to 14 December 2018, as part of the delegation of the United Kingdom, highlighting the value of their presence in helping to amplify the shared message of

the need for a high degree of ambition on climate change-related targets. The United Kingdom reiterated its commitment to working with the overseas territories on the issue of extending the application of treaties concerning climate change to the territories, including taking forward the work to extend its ratification of the Doha Amendment to the Kyoto Protocol to those territories that had indicated their readiness for it, through initial consultation with territories that had an interest in participating in meetings concerning the Paris Agreement to be held in the first half of 2018. The importance of work in the territories on climate change adaptation and mitigation and collaboration between the territories to share best practices on environmental management and climate change issues, including through the annual meetings of ministers of the environment of the territories, was emphasized.

VI. Relations with international organizations and partners

61. The Turks and Caicos Islands is an associate member of the Economic Commission for Latin America and the Caribbean, including the Commission's Caribbean Development and Cooperation Committee.

62. The Territory is an associate member of the Caribbean Community. It is also a member of the Caribbean Development Bank, the International Criminal Police Organization and the Caribbean Financial Action Task Force. In addition, it is a member of the Caribbean Regional Fisheries Mechanism and an associate member of the Association of Caribbean States.

63. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with the European Union but not a part of it. According to the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the overseas territories continued their dialogue on the implications for the latter of the decision by the United Kingdom to leave the European Union (known as "Brexit"). In addition, it was indicated that a clear objective of the exit negotiations was to achieve an agreement that worked for all parts of the United Kingdom family, and the United Kingdom affirmed that it would seek to ensure that the security and economic sustainability of the overseas territories was preserved and, where possible, strengthened post-"Brexit".

VII. Future status of the Territory

A. Position of the territorial Government

64. Information on constitutional, legal and political developments is contained in section I, above.

B. Position of the administering Power

65. At the 8th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 9 October 2017, during the seventy-second session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British. He said that the territories were an integral part of global Britain and the United Kingdom's commitment to its territories'

security and prosperity remained strong, as demonstrated by the swift and comprehensive response to the devastation wreaked in some territories by Hurricane Irma, and the ongoing recovery efforts.

66. The representative of the United Kingdom went on to say that, the Joint Ministerial Council was the primary forum for high-level political dialogue between the United Kingdom and the overseas territories. As the United Kingdom negotiated to leave the European Union, it was fully committed to taking into account the priorities of the overseas territories, including Gibraltar. The United Kingdom-Overseas Territories Joint Ministerial Council on European Union negotiations had been established to discuss the priorities of the territories and determine further areas for collective engagement. He added that the fundamental responsibility of the Government of the United Kingdom, under international law and the Charter of the United Nations, was to ensure the security and good governance of the territories and their peoples.

67. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories indicated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed themselves to exploring the ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. For those Territories with permanent populations who wished it, the United Kingdom would continue to support their requests for removal from the list of Non-Self-Governing Territories. The Government of the United Kingdom and the leaders of the overseas territories agreed that the fundamental structure of their constitutional relationships had been the right one — powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities. They also agreed upon the need to continue their engagement on those issues to ensure that constitutional arrangements worked and were developed effectively to promote the best interests of the territories and of the United Kingdom.

VIII. Action taken by the General Assembly

68. On 7 December 2017, the General Assembly adopted resolution 72/108 without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2017 (A/72/23) and the subsequent recommendation by the Fourth Committee. In that resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of the Turks and Caicos Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the Turks and Caicos Islands, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the Turks and Caicos Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Reiterated its support for the full restoration of democracy in the Territory and for the work of the Constitutional Review Committee, and encouraged further efforts by the administering Power in this regard;

(e) Took note of the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

(f) Noted the continuing debate on constitutional reform within the Territory, and stressed the importance of participation by all groups and interested parties in the consultation process;

(g) Stressed the importance of having in place in the Territory a constitution that reflected the aspirations and wishes of its people, based on the mechanisms for popular consultation;

(h) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(i) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(j) Encouraged the Territory to continue to participate in the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, including regional seminars;

(k) Welcomed the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory;

(l) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of the Turks and Caicos Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Turks and Caicos Islands and the administering Power;

(m) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Turks and Caicos Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(n) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

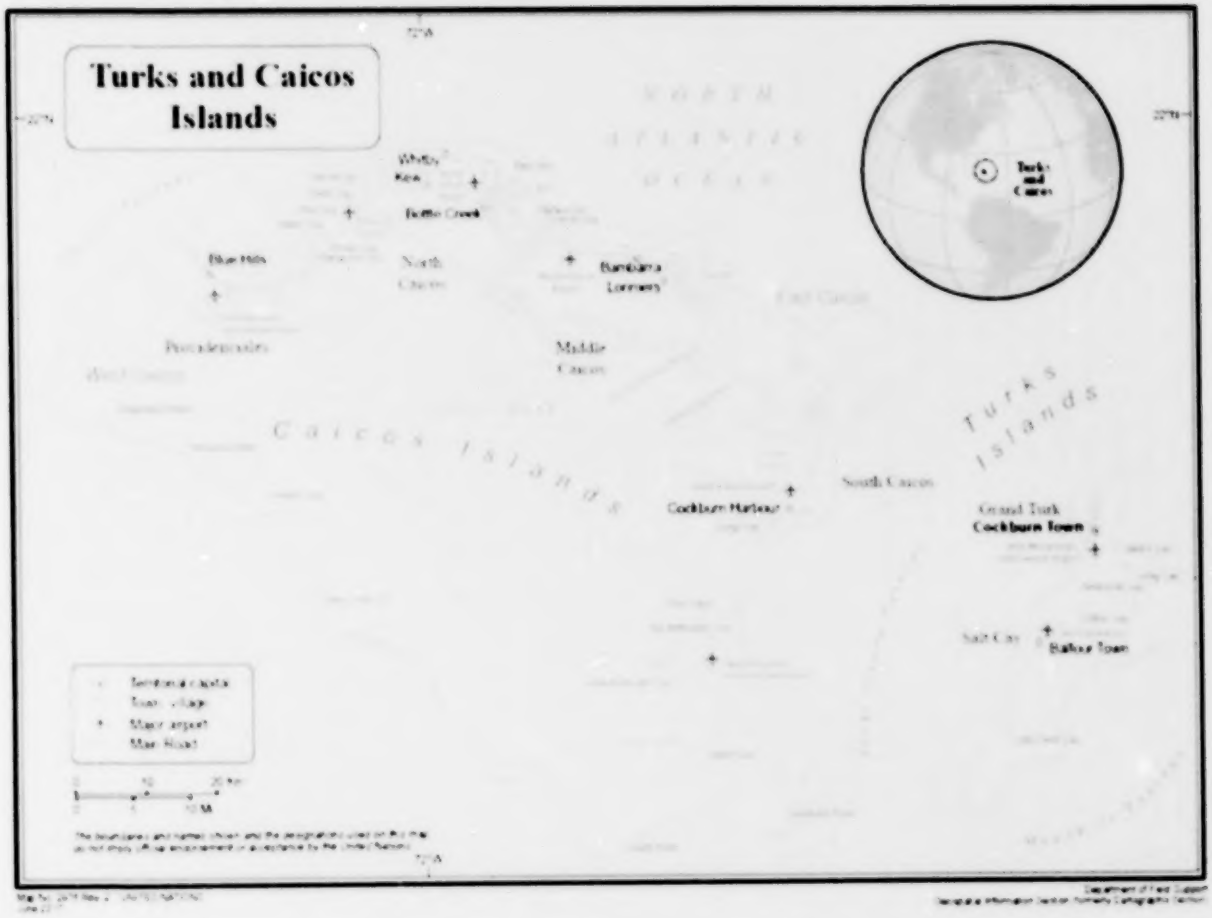
(o) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

(p) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(q) Requested the Special Committee to continue to examine the question of the Turks and Caicos Islands and to report thereon to the General Assembly at its seventy-third session and on the implementation of the resolution.

Annex

Map of the Turks and Caicos Islands



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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

United States Virgin Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 8 December 2017. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The United States Virgin Islands is a Non-Self-Governing Territory under the Charter of the United Nations. As an unincorporated, organized territory of the United States of America, it is administered by the Office of Insular Affairs of the United States Department of the Interior.

Geography: The Territory is located in the eastern part of the Caribbean Sea, 1,075 miles south-east of the south-eastern tip of the United States and 60 miles east of Puerto Rico. It is made up of four main islands: Saint Croix, Saint John, Saint Thomas and Water Island. The capital, Charlotte Amalie, is located on Saint Thomas.

Land area: 352 km^2

Exclusive economic zone: 33,744 km^2

Population: 103,190 (2016 estimate)

Life expectancy at birth: 79.8 years (women: 83.0 years, men: 76.7 years (2014 estimate))

Languages: English or English Creole (74.70 per cent); Spanish or Spanish Creole (16.78 per cent); French or French Creole (6.57 per cent); and other (1.95 per cent)

Capital: Charlotte Amalie

Head of territorial Government: Governor Kenneth E. Mapp

Territory's delegate to the United States Congress: Stacey Plaskett, elected on 8 November 2016 and sworn into office on 3 January 2017

Main political parties: Democratic Party; Independent Citizens' Movement; Republican Party

Elections: The most recent gubernatorial elections were held in November 2014. The elections for legislators and delegate to Congress were held in November 2016.

Legislature: Unicameral (15 senators)

Gross domestic product (GDP) per capita: $29,838 (2016, chained (2009) dollars)

Economy: Tourism is the primary economic activity, accounting for 80 per cent of GDP and employment. The manufacturing sector consists of petroleum refining, rum distilling, textiles, electronics, pharmaceuticals and watch assembly.

Monetary unit: United States dollar

Unemployment rate: 11.2 per cent (March 2017 estimate)

Brief history: The islands belonged to Denmark from 1754 to 1917 (Danish West Indies). On 31 March 1917, the Government of Denmark transferred ownership to the United States. The United States Virgin Islands has since been an organized, unincorporated territory of the United States.

I. Constitutional, political and legal issues

1. The United States Virgin Islands is an organized, unincorporated territory of the United States of America. Under the Organic Act of the Virgin Islands (1936), its revision in 1954 and subsequent amendments to the Revised Organic Act of 1954, the Territory has a legislature, also known as the Senate, which is a unicameral body comprising 15 senators elected to a two-year term by popular vote. Executive power is vested in the Governor, who, since 1970, has been elected by popular vote to a four-year term on the same ticket as the Lieutenant Governor. The Governor is limited to two consecutive terms. With the advice and consent of the Legislature, the Governor appoints the heads of the executive departments and has the power to approve or veto legislation and issue executive orders.

2. In the gubernatorial elections of November 2014, Kenneth Mapp, an independent, was elected Governor and Osbert Potter was elected Lieutenant Governor. The terms of office of the Governor and the Lieutenant Governor will expire in November 2018, when the next gubernatorial elections are to be held. The Territory also elects a delegate to the United States House of Representatives, who is able to vote in committees. The Democratic Party candidate, Stacey Plaskett, won the election held on 8 November 2016 and was elected to her second term as delegate. The Territory's senatorial elections were also held on 8 November 2016. On 8 April 2017, a special election was held in the Saint Thomas-Saint John district to fill a vacancy in the thirty-second Legislature. The senators and the delegate to Congress can serve unlimited two-year terms.

3. The Territory's judicial system has a district court, a superior court and a supreme court, of which the last-mentioned became operational in January 2007. The Supreme Court is the appellate court that hears appeals decided by the Superior Court. Its establishment eliminated federal judicial involvement in purely local legal matters. In December 2012, the President of the United States signed House of Representatives Bill No. 6116 authorizing direct review by the United States Supreme Court of decisions made by the Supreme Court of the United States Virgin Islands. The legislation was sponsored by the Territory's congressional delegate.

4. Since the revision to the Organic Act of the Virgin Islands by the Government of the United States in 1954, there have been four attempts to replace it with a local constitution approved by the people of the Territory that would organize the internal mechanisms of the government. Although the United States Congress authorized the adoption of a local constitution in 1976 under United States Public Law 94-584, none of the four attempts made were successful.

5. As previously reported, on 26 May 2009, the Fifth Constitutional Convention adopted a proposed constitution of the United States Virgin Islands by a two-thirds vote. It was submitted to the Governor on 31 May 2009. With a preamble and 19 articles, the 27-page text included provisions on a bill of rights; principles, branches and subdivisions of government; Virgin Islanders; elections; education; youth; taxation, finance and commerce; economic development; public health, safety and welfare; culture; environmental protection; referendums and recalls; and the creation of a political status advisory commission. Further details can be found in previous working papers.

6. On 26 February 2010, the President of the United States submitted the proposed constitution to Congress, endorsing the conclusions reached by the United States Department of Justice that several features of the proposed text warranted analysis

and comment, including: (a) the absence of express recognition of United States sovereignty and the supremacy of federal law; (b) provisions for a special election on the territorial status of the United States Virgin Islands; (c) provisions conferring legal advantages on certain groups defined by place and timing of birth, timing of residency or ancestry; (d) residence requirements for certain offices; (e) provisions guaranteeing legislative representation of certain geographic areas; (f) provisions addressing territorial waters and marine resources; (g) imprecise language in certain provisions of the proposed constitution's bill of rights; (h) the possible need to repeal certain federal laws if the proposed constitution were adopted; and (i) the effect of congressional action or inaction on the proposed constitution.

7. On 11 September 2012, the Governor signed Act No. 7386 establishing and convening a body called the Fifth Revision Convention, formed by the 30 delegates elected to the Fifth Constitutional Convention and five attorneys. The Fifth Revision Convention was convened on 1 October and mandated to ratify and approve, no later than 31 October and by a two-thirds majority vote of all the delegates, the final revised draft constitution consistent with the nine issues identified by the Government of the United States (see para. 6). The Act established that, if the Fifth Revision Convention agreed upon a proposed revised draft constitution by the deadline, the President of that body should have it submitted to the Governor and to the President of the United States. In case of the non-adoption of the text, both the Fifth Constitutional Convention and the Fifth Revision Convention would be dissolved and the Legislature of the United States Virgin Islands would have full authority to address the Territory's constitution. As reported in previous working papers, however, the outcome of the Fifth Revision Convention was surrounded by controversy and has continued to remain unclear. In January 2013, in his State of the Territory address, the Governor expressed the hope that the Territory would find "the means and courage that will lead us from the Organic Act to a Virgin Islands constitution".

8. According to the administering Power, in March 2016 the Office of Insular Affairs of the Department of the Interior awarded the University of the Virgin Islands $250,000 to establish the Office of Self-Determination and Constitutional Development. The Office works with other stakeholders across the territory to address the issue of self-determination. Major duties and responsibilities include political status and constitutional education, research and development and universal public education.

II. Budget

9. In his testimony to the Committee of the Whole of the thirty-second Legislature of the United States Virgin Islands on 13 October 2017, the Director of the United States Virgin Islands Office of Management and Budget discussed the impacts of Hurricane Irma and Hurricane Maria on the infrastructure and economy of the Territory. He said that the two "monster storms" had inflicted extraordinary physical, economic, mental and psychological stress and damage on the Territory and its people. Significant damage to the infrastructure and the economy would have a negative impact on the fiscal condition of the Territory.

10. In his testimony, the Director explained that since the Legislature was not able to act on the proposed executive budget for fiscal year 2018 as a result of the hurricanes, the United States Virgin Islands Code provided that the appropriation levels of the prior fiscal year applied. The Director stated that, therefore, until the Legislature decided otherwise, the appropriations for fiscal year 2017, so far as

applicable, were deemed reappropriated for fiscal year 2018, effective 1 October 2017. Accordingly, the total General Fund expenditure budget for fiscal year 2018, including debt service and tax refund, was $914.8 million, whereas the General Fund revenues and resources estimate, which had been approved by the Revenue Estimating Conference and was reflected in the recommended fiscal year 2018 budget, totalled $833.9 million. He further indicated that the $80.9 million gap would be widened significantly by the expected revenue loss and additional unreimbursed expenditures resulting from the hurricanes. Based on preliminary and admittedly "soft" estimates, the fiscal year budget gap could widen to as much as $325 million and the disaster-induced budget gaps would continue into fiscal years 2019 and 2020.

11. In addition, the Director explained that hurricanes had dual fiscal impacts — both of which were negative — on the territorial Government, causing significant tax and other revenue loss, on the one hand, while requiring additional expenditure for disaster response and recovery, on the other. Those negative impacts were accentuated by the fact that the fiscal condition of the Territory before the hurricanes had already been tenuous, in particular its liquidity position, which had been weakened by lower-than-expected tax revenue collection and the loss of access to capital market working capital financing in fiscal year 2017.

12. In January 2018, in his State of the Territory address, the Governor announced that the federal Government of the United States had approved an appropriation providing the Territory with a minimum of $900 million in liquidity support over three fiscal years. Those funds were being provided to support and bridge the budget gap between revenues and expenditures for revenues lost owing to the hurricanes. He added that his Government had requested a total of $7.5 billion from the federal Government to fund home repairs, schools, hospitals, government facilities, the energy grid, roads, docks, ports and telecommunications infrastructure.

13. According to the report entitled "United States territories public debt outlook", issued in October 2017, the United States Government Accountability Office found that between fiscal years 2005 and 2015, the public debt of the United States Virgin Islands had nearly doubled, reaching $2.6 billion and a debt to gross domestic product (GDP) ratio of 72 per cent. Since 2010, most of the debt of the Territory had been used to fund general government operations. Revenue had remained stagnant and net position had been negative and declining during the period, reflecting a deteriorating financial position.

III. Economic conditions

A. General

14. The Governor of the United States Virgin Islands, in his testimony on 14 November 2017 to the United States Senate Committee on Energy and Natural Resources, provided a graphic overview of the devastating impact of Hurricane Irma and Hurricane Maria on the United States Virgin Islands. He stated that the storms' 185 mph winds had ripped leaves from the trees, pulled up century-old trees by their roots and turned green hillsides almost black. Power lines were strewn across roads; utility poles had been snapped in half like matchsticks; 400 boats were sunk in the harbours; and nine schools, the two main hospitals and related health-care facilities, fire stations and police stations were so badly damaged that they had to be condemned. The airports and many government offices were also unusable, which had had a drastic impact on the delivery of vital government services.

15. In his testimony, the Governor explained that more than 15,000 homes had been damaged or destroyed and that virtually all of the power distribution infrastructure had been wiped out. The damage to the economy was of such magnitude that it had created unsustainable cash shortfalls that would continue into the future. Estimates indicated that the economic losses to key industries, including tourism, would amount to more than $1.7 billion over the next three years. Damage to commercial facilities amounted to nearly $900 million.

16. The Governor testified that the recovery of the United States Virgin Islands from the hurricanes would take time and would require significant analysis in order to arrive at a full understanding of the damage caused. The Government of the Territory estimated that uninsured hurricane-related damage amounted to more than $7.5 billion.

17. In January 2018, in his State of the Territory address, the Governor said that, according to the Federal Emergency Management Agency, the Government of the United States had expended, as at 18 January 2018, some $516 million in response to the disasters affecting the Territory (excluding community disaster loans). The recipients of the approved loans included: the central Government ($250 million), the Water and Power Authority ($75 million), the Schneider Regional Medical Centre ($24 million) and the Governor Juan F. Luis Hospital and Medical Centre ($22 million).

18. On 1 December 2017, the Bureau of Economic Analysis released GDP estimates of for 2016, in addition to estimates by industry and compensation by industry for 2015. The estimates indicated that real GDP had increased by 0.9 per cent in 2016, after having increased by 0.3 per cent in 2015.

B. Tourism

19. In his testimony to the Committee of the Whole of the thirty-second Legislature of the United States Virgin Islands on 13 October 2017, a senior policy analyst from the United States Virgin Islands Bureau of Economic Research explained that Hurricane Irma and Hurricane Maria had caused significant damage to hotels, guest houses and other lodging facilities and that several accommodation establishments would not be available for the upcoming season. Therefore, there should be an expected decline in guest registrations. Cruise ship arrivals at the Territory had been relaunched to test the readiness of the destination to provide quality experiences to visitors.

20. Air arrivals at the Saint Thomas-Saint John district rose by 2.1 per cent in fiscal year 2016. Air arrivals at the Saint Croix district also experienced growth of 5.6 per cent. There were 1,792,919 cruise ship passenger arrivals in the Saint Thomas and Saint John district, about the same number as in fiscal year 2015. The number of cruise passengers travelling to Saint Croix fell to 131,385 from 134,502, a loss of 2.3 per cent.

C. Manufacturing and construction

21. According to the administering Power and the United States Virgin Islands Bureau of Economic Research, a considerable increase in the construction industry is expected as a result of the vast residential, commercial and public reconstruction needs caused by Hurricane Irma and Hurricane Maria. The territorial Government has

estimated that $7 billion is needed for the reconstruction and resilience-hardening of public infrastructure and facilities. Employment in the manufacturing sector held steady in 2016, averaging 619 jobs, or a 3.7 per cent fiscal year-on-year increase. Businesses in this sector include manufacturers, concrete firms, distilleries and small firms producing goods. These businesses have an average workforce of 20 employees.

22. According to the administering Power, on 31 December 2015 the Governor signed into law the ratification by the thirty-first Legislature of the operating agreement between the Government of the United States Virgin Islands and Limetree Bay Terminals, a subsidiary of ArcLight Capital Partners, for the sale of the former Hovensa facility on Saint Croix. Limetree Bay Terminals hosted the grand opening of its oil storage terminal on 12 September 2016. In January 2018, in his State of the Territory address, the Governor said that the storage terminal facility was employing more than 650 people and that the territorial Government had received over $250 million in direct payments and had taken ownership of 120 homes, a technical school and more than 330 acres of land that used to be a part of the facility.

23. According to the Bureau of Economic Research, the rum industry consists of two companies. Both distilleries have a combined capacity to produce 29 million proof gallons of rum per year. Rum produced in the Territory is exported to the United States primarily in bulk and sold to local and regional bottlers for sale under a variety of brands. Shipments for fiscal year 2016 totalled 17.5 million proof gallons, representing a 33.5 per cent increase compared with 2015. The federal Government imposes and collects federal excise taxes on rum produced in the United States Virgin Islands and exported to the United States. The current assessed excise tax rate is $13.50 per proof gallon, and the cover-over rate (the rate at which excise taxes are transferred back to the United States Virgin Islands) is $13.25.

D. Trade, transportation and utilities

24. The United States Virgin Islands has some 1,250 km of roadways. The Territory also enjoys one of the most natural deep-water harbours in the Caribbean and is strategically located along the Anegada Passage, a key route for ships bound for the Panama Canal. The Territory has five major docking facilities, which can accommodate cruise ships and some naval vessels. Three of the docks are on Saint Croix: South Shore, Gallows Bay and Frederiksted. The other two are on Saint Thomas: the facilities operated in Crown Bay by the Virgin Islands Port Authority, a semi-autonomous government agency, and the Islands-owned West Indian Company.

25. On 2 November 2017, the Chief Executive Officer of the United States Virgin Islands Water and Power Authority testified before the Subcommittee on Energy of the Committee on Energy and Commerce of the United States House of Representatives. He stated that the utility's power-generating plants in Estate Richmond on Saint Croix and Krum Bay on Saint Thomas had suffered minimal impact from the hurricanes. The electrical transmission and distribution systems, however, had been severely damaged. Damage to the systems had been estimated at 80 per cent on Saint Thomas and at more than 90 per cent on Saint John, with Water Island and Hassel Island each suffering approximately 90 per cent destruction. He explained that, following the passage of Hurricane Irma, the Water and Power Authority, utilizing its own line department personnel as well as on-island contractors, had engaged in a Territory-wide reconstruction and restoration effort. According to a press release issued by the Authority, as at 15 January 2018 more than 46,000 customers had been reconnected to the electrical grid, representing approximately

95 per cent of the customers eligible for reconnection. The Chief Executive Officer also testified that, in addition to hardening the distribution system, the Water and Power Authority must address the electrical grid, which was also susceptible to damage from windstorms. He said that the plan proposed by the Authority was for the construction of a series of microgrids on each island. Each microgrid would be a localized grouping of electricity sources that would operate in tandem with the Authority's generating facilities. Each could be disconnected and function autonomously as physical and/or economic conditions dictated.

26. In April 2016, the Water and Power Authority began to commission propane fuel for the Saint Croix Estate Richmond facility. According to the United States Virgin Islands Bureau of Economic Research, after a three-year delay, the facility is now completely utilizing propane fuel. In November 2016, the commissioning process began at the Randolph Harley power plant in Saint Thomas, and it is now operating on 65 per cent propane usage. The units have been permitted to use three types of fuel for the generation of electricity: oil, propane and natural gas. The Authority has embarked on a five-year plan to remove older generators and replace them with smaller, fuel-efficient ones. It is anticipated that new, more reliable generators would improve power efficiency and result in continued reductions in utility costs for ratepayers.

E. Agriculture and fisheries

27. According to the administering Power, the terrestrial and marine natural resources of the Territory suffered significant damage as a result of Hurricane Irma and Hurricane Maria. Natural resource specialists from various federal agencies were deployed to the United States Virgin Islands to assess the damage and to work with the Territory on the implementation of various programmes to restore the natural habitat and make it more resilient.

IV. Social conditions

A. Labour

28. According to the United States Virgin Islands Bureau of Economic Research, employment conditions during fiscal year 2016 appeared to be stabilizing, but the job market remained weak. The territorial jobless rate was 11.2 per cent in 2016. According to the United States Virgin Islands Department of Labor, in July 2017 there were a total of 38,641 non-farm jobs in the United States Virgin Islands (not seasonally adjusted — all workers), representing an increase of 498 jobs compared with the prior year.

29. In his testimony to the Committee of the Whole of the thirty-second Legislature of the Virgin Islands on 13 October 2017, a senior policy analyst from the Virgin Islands Bureau of Economic Research explained that the Bureau anticipated a sizeable shift in various job sectors. He said that job losses were expected to occur in the hospitality and leisure sectors. As the Territory begins to rebuild its roads, commercial and residential buildings, jobs in the construction sector are expected to increase and become a major contributor to non-agriculture employment.

B. Education

30. In his testimony before the United States Senate Committee on Energy and Natural Resources, the Governor of the Territory said that nine public schools had been destroyed and condemned as a result of the impacts of Hurricane Irma and Hurricane Maria. He explained that school gymnasiums and the Curriculum Centre in Saint Thomas had also been destroyed. All aspects of the public school system of the Territory had been affected, including through the loss of school buses and the decimation of the agricultural programme, the aquaponics labs, the poultry farm and 19 school gardens. In addition, children were left without musical instruments, athletic equipment and home libraries, which were actively being promoted through literacy initiatives. The schools had lost a significant number of computers, smart boards and other technology-centred materials; their recovery would require the rebuilding of the information technology infrastructure in order to facilitate connectivity and reliability.

31. The Governor added that the United States Virgin Islands had managed to open a sufficient number of schools for the continued teaching of its children, but that most students were learning under difficult conditions or had to endure long commutes. He said that, given its small school population, the Territory planned to consolidate and build six new resilient schools: one on Saint John, two on Saint Thomas and three on Saint Croix. This would provide an opportunity for the inclusion of preschool centres and the expansion of vocational training programmes in order to drive workforce development and thereby diversify the economy.

C. Public health

32. The Territory's Department of Health maintains facilities on Saint Thomas, Saint John and Saint Croix. It also maintains a long-term-care facility on Saint Thomas. Outreach efforts include educational, preventive and treatment services using clinics and subdivisions for maternal and child health, family planning, environmental health, sexually transmitted infections, HIV and tuberculosis, mental health and substance abuse. The Department administers 33 activity centres and 16 federal programmes under the auspices of the Office of the Commissioner and the divisions dealing with fiscal affairs, support services, public health services and health promotion and statistics.

33. In his testimony before the United States Senate Committee on Energy and Natural Resources, the Governor of the Territory stated that Hurricane Irma and Hurricane Maria had devastated the critical health-care infrastructure of the United States Virgin Islands; the two main hospitals and affiliated health-care facilities had been destroyed. He explained that critical care was unavailable in the Territory. Patients requiring critical care and persons requiring dialysis must be flown to the United States mainland for medical treatment. He stated that the recovery funds that the territorial Government was seeking from the United States Congress would help rebuild the two main hospitals, on Saint Thomas and Saint Croix, and the health-care facility on Saint John.

34. On 12 October 2017, the Chief Executive Officers of the Schneider Regional Medical Centre and Governor Juan F. Luis Hospital and Medical Centre testified before the Committee of the Whole of the thirty-second Legislature of the United States Virgin Islands. Both reported on the significant damage caused to the infrastructure of both hospitals. While the hospitals were unable to provide a wide

range of services, both were providing emergency services with the assistance of personnel from the United States Departments of Health and Human Services, Homeland Security and Defense.

35. According to the Zika epidemiological report of the Pan American Health Organization (PAHO) on the United States Virgin Islands dated 25 September 2017, as of epidemiological week 34 of 2017 (August 2017), all three main islands of the Territory had reported suspected and confirmed Zika virus cases. Saint Thomas reported the highest number of cases (1,274 suspected cases, including 683 confirmed), followed by Saint Croix (763 suspected, including 252 confirmed) and Saint John (149 suspected, including 89 confirmed). In addition, a total of 2,230 pregnant women had been tested for the Zika virus in the Territory, 286 of whom were laboratory-confirmed for infection with the virus. In January 2016, PAHO was notified by the United States International Health Regulations National Focal Point of the first confirmed case of autochthonous vector-borne transmission of the virus from Saint Croix.

D. Crime and crime prevention

36. In his testimony before the United States Senate Committee on Energy and Natural Resources, the Governor noted that Hurricane Irma and Hurricane Maria had caused the loss of two fire stations, a police station and the Saint Croix Emergency Operation Centre. In his State of the Territory address, in January 2018, the Governor noted the actions that had been undertaken to curtail violent crimes by developing and strengthening the police force. In his view, the Territory continued to be challenged by homicides, many of them gang-related. He also announced that the New York Police Department would continue to provide training to senior officers and detectives from the Territory.

V. Environmental protection and disaster preparedness

37. In his testimony before the Committee of the Whole of the thirty-second Legislature of the Virgin Islands, on 13 October 2017, the Director of the United States Virgin Islands Office of Management and Budget commented on the federal support that would be forthcoming as a result of Hurricane Maria and Hurricane Irma. He said that the size and intensity of the storms had warranted two separate major disaster declarations by the President of the United States, DR-4335-USVI and DR-4340-USVI, for Hurricane Irma and Hurricane Maria, respectively. The declarations had allowed for access to millions of dollars in federal disaster assistance loans and grants to individuals, businesses and the territorial Government. He explained that the Federal Emergency Management Agency grant programmes to local governments would offset most (but not all) of the additional expenditures related to disaster preparedness, response and recovery, while the community disaster loan programme would provide assistance to overcome disaster-related revenue loss.

38. In his testimony to the United States Senate Committee on Energy and Natural Resources, the Governor of the Territory expressed his gratitude and appreciation for the response of the Government of the United States following the passage of Hurricane Irma and Hurricane Maria.

39. In his State of the Territory address in January 2018, the Governor announced that the Federal Emergency Management Agency had approved an initial budget of

$600 million to fund the Sheltering and Temporary Essential Power Programme to provide roofs for approximately 12,000 homes throughout the Territory. This single programme was expected to generate, at a minimum, 2,500 jobs. He also stated that in October 2017, a hurricane recovery and resilience advisory group had been established.

VI. Relations with international organizations and partners

40. The United States Virgin Islands is an associate member of the Economic Commission for Latin America and the Caribbean. The Territory has observer status with the Association of Caribbean States and with the Alliance of Small Island States, which serves as a platform to promote action on environmental issues, including climate change. According to information provided by the administering Power, the United States Virgin Islands received acceptance as a territorial Government with observer status at the Organisation of Eastern Caribbean States in 2009.

41. The British Virgin Islands and United States Virgin Islands are making progress in strengthening their ties in areas of mutual interest, following the seventh meeting of the Inter Virgin Islands Council, held in Saint Thomas on 2 September 2016. The Premier and Minister of Finance of the British Virgin Islands, and the Governor of the United States Virgin Islands led their respective delegations of Government officials to report to the Council and to further discuss areas of shared interest. During the meeting, reports were received from the standing committees on law enforcement, pleasure boating and sports fishing, cultural preservation, tourism, energy and utilities, health, mutual disaster preparedness and assistance, and education. Also discussed was the update on the progress made regarding cooperation for British Virgin Islands musician work permits.

VII. Future status of the Territory

A. Position of the territorial Government

42. Developments regarding discussions on the future status of the United States Virgin Islands are reflected in section I.

B. Position of the administering Power

43. In a letter dated 2 November 2006 addressed to the delegate of American Samoa to the United States House of Representatives, the Assistant Secretary of State for Legislative Affairs elaborated on the position of the Government of the United States. In his letter, he indicated that the status of the insular areas regarding their political relations with the federal Government was an internal United States issue and not one that came under the purview of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. He also noted that the Special Committee had no authority to alter in any way the relationship between the United States and those territories and no mandate to engage the United States in negotiations on their status. He further noted that, at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to the United Nations statistical and other information of a technical nature relating to economic, social and educational

conditions in the Non-Self-Governing Territories, the federal Government submitted annual updates on United States territories to the Special Committee as a demonstration of the cooperation of the United States as an administering Power and as a corrective to any errors in information that the Special Committee might have received from other sources.

44. According to the administering Power, on 23 February 2016 the then Assistant Secretary for Insular Areas of the United States Department of the Interior hosted a panel discussion in Washington, D.C., on self-determination in American Samoa, Guam and the United States Virgin Islands. The panel included territorial experts and officials from the United States Department of the Interior and Department of State and provided an updated context for federal policymakers and for a new generation to learn about the status of self-determination in the respective territories and to understand their rights with regard to self-determination under federal and international law. The panel experts reaffirmed the position of the administering Power that, under the United States Constitution, only the United States Congress had the plenary power to dispose of and make needful rules and regulations respecting the territories. It was also reiterated that the administering Power supported the right of self-determination of the respective peoples of American Samoa, Guam, and the United States Virgin Islands, and it was the policy of the administering Power that the territories had at least three distinct options for exercising self-determination: continued territorial status, statehood or independence. Furthermore, in conjunction with the winter meeting of the National Governors Association, held in Washington, D.C., each February in either the Main Interior Building or the Old Executive Office Building, the Deputy Assistant to the President for Intergovernmental Affairs and the Assistant Secretary of the Interior for Insular Areas host the plenary session of the Interagency Group on Insular Areas, which brings together the Governor of the United States Virgin Islands and his counterparts from American Samoa and Guam to discuss with leading officials of the federal executive branch matters of mutual importance to the Territories.

VIII. Action taken by the General Assembly

45. On 7 December 2017, the General Assembly adopted its resolution 72/109 without a vote, on the basis of the report of the Special Committee for 2017 (A/72/23) and the subsequent recommendation by the Fourth Committee. In the resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of the United States Virgin Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the United States Virgin Islands, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the United States Virgin Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United

Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Welcomed the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requested the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

(e) Requested the administering Power to facilitate the process for approval of the proposed constitution and its implementation, once agreed upon in the Territory, and to regularly provide the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with relevant updates in this regard;

(f) Also requested the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(g) Welcomed the establishment of the Office of Self-Determination and Constitutional Development in the University of the Virgin Islands, with the funding from the administering Power, to address the issue of self-determination, including political status and constitutional education;

(h) Expressed its concern regarding the closure of the Hovensa plant, which had had a negative economic impact on the Territory;

(i) Reiterated its call for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

(j) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(k) Encouraged the Territory to continue to participate in the activities of the Special Committee, including regional seminars;

(l) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of the United States Virgin Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the United States Virgin Islands and the administering Power;

(m) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the United States Virgin Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(n) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist

and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(o) Took into account the 2030 Agenda for Sustainable Development,[1] including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

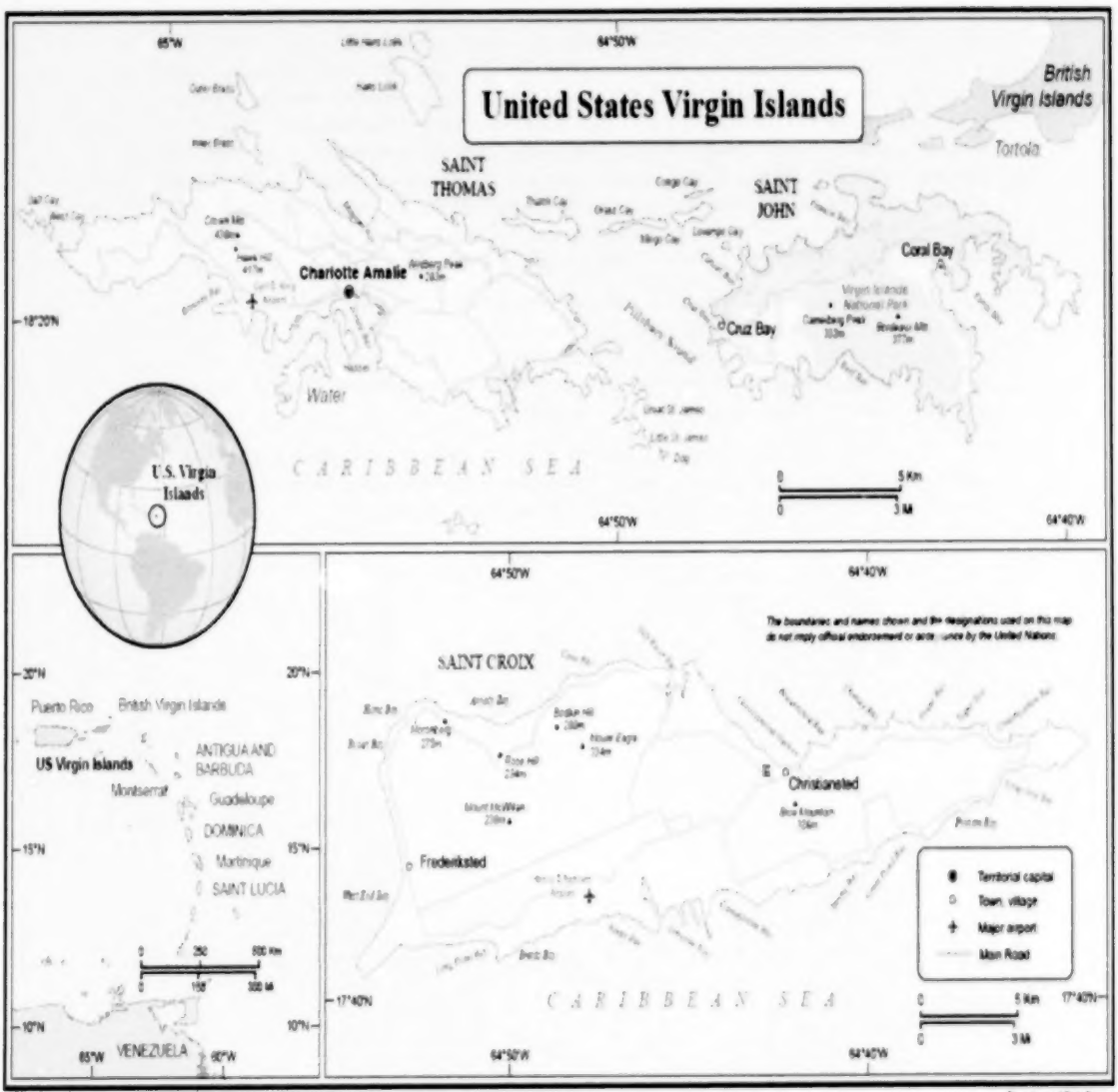
(p) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(q) Requested the Special Committee to continue to examine the question of the United States Virgin Islands and to report thereon to the General Assembly at its seventy-third session and on the implementation of the resolution.

[1] Resolution 70/1.

Annex

Map of the United States Virgin Islands



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Department of Field Support
Geospatial Information Section (formerly Cartographic Section)